

CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION
*****THREE HUNDREDTH MEETING*****

HELD AT CAPE COD NATIONAL SEASHORE, Marconi Station
Area, Park Headquarters, South Wellfleet, Massachusetts, on
Monday, November 16, 2015, commencing at 1 p.m.

SITTING:

Richard Delaney, Chairman
Larry Spaulding
Don Nuendel
Lilli Green
Joseph Craig
Sheila Lyons
Mary-Jo Avellar
Mark Robinson
Maureen Burgess

Robert Summersgill, alternate
Bill Clark, alternate
Nat Goddard, alternate

Also present:

George Price, Superintendent
Kathy Tevyaw, Deputy Superintendent
Lauren McKean, Park Planner
Robert Cook, Acting Chief of Natural Resources and Science
Chris Hartsgrrove, Park Ranger
Mary Hake, Natural Resource Specialist
Jayne Aaron, Environmental Planner, EA Engineering, Science
and Technology, Inc.
Martha Hevenor, Planner - Cape Cod Commission
Sarah Korjeff, Planner - Cape Cod Commission

Audience members

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P R O C E E D I N G S

1
2 MR. DELANEY: I am honored and pleased to call
3 together the 300th meeting of the Cape Cod National
4 Seashore Advisory Commission. And we will take more
5 time with it later in the day after the meeting to
6 ponder that fact and remember it, but it is a really
7 special day for a special organization that has been
8 instrumental in the 50 plus years of Cape Cod National
9 Seashore, and we should reflect on that.

10 The meeting has been called to order officially.
11 We have an agenda in front of us, and I would like to
12 just before we start with the agenda and the official
13 business of our commission -- poignantly and sadly, one
14 of our members is not here, Tom Reinhart. He passed
15 away. There was a very nice memorial service for him
16 yesterday in Wellfleet. Some of you I know attended.
17 But I'd just like to have us stop even before we get to
18 the business and the celebration to remember Tom for his
19 contributions on behalf of the Town of Wellfleet, not
20 only for the Commission but all the other work that he
21 did on behalf of the environment here on Cape Cod for
22 all his life. Very active, very committed, very
23 passionate and a guy who was not afraid to challenge us
24 a little bit at this table. He'd often do it with a

1 little wry smile, and you could tell he was kind of
2 amusing himself with it, but he always would come at
3 some of our issues from a slightly different angle. But
4 it was always right on -- often right on point. He was
5 a terrific guy, so we miss him already.

6 But I do want to have a moment of silence at the
7 beginning of this meeting for all of us to reflect on
8 Tom Reinhart and his contributions to the Commission.

9 (Moment of silence was held.)

10 MR. DELANEY: Thank you.

11 Even somewhat of a double-barrel hit to Wellfleet,
12 another equally important person, not a member of our
13 commission but very active at Cape Cod National
14 Seashore, Gooz Draz died in the last couple of weeks as
15 well. And his work, not at this table but around
16 Wellfleet, was equally important for us, and I know
17 George, Superintendent Price, asked if he could offer a
18 couple of thoughts at this time in memory of Gooz.

19 So, George?

20 MR. PRICE: One of the things about Tom, I think he
21 was well-known in the community. I was called by *The*
22 *Banner* to say a couple of words, and the first thing
23 that came to my mind about Tom was he really cared about
24 the Cape and he cared about his community. And when he

1 sat at this table, he wasn't exactly just giving me a
2 pass every time something came up about the Seashore.
3 He was there to speak his mind, and I think he did. I
4 respected him for that.

5 Gooz I met out of the blue during the whole
6 McMansion debate, which was centered around the large
7 house which has been known as the Blasch house which
8 overlooks the mouth of the Herring River. And this was
9 quite a controversial piece. You may remember the Park
10 Service actually took the town to court, lost the first
11 round, were taking it to the second round for appeal
12 when the federal government decided to sell. Gooz came
13 forward with others. In fact, Peter Watts, who has also
14 represented Wellfleet, Tom Reinhart, and others came to
15 us and said to Lauren and I, "Is there a possibility of
16 -- you know, how can we -- how can this happen? How can
17 it happen in the National Seashore District of all
18 places?" And we explained the issues where in our
19 legislation basically it's the town bylaws and zoning
20 that actually manages that. It's not the federal
21 government. The town has promulgated the zoning bylaws
22 and planning regulations. The Seashore had agreed, but
23 the way it was being interpreted by the current people
24 on those boards at the time had allowed it to happen

1 obviously. And then even the federal government wasn't
2 able to change anybody's heart on that one.

3 So Gooz came forward. And I think about him in
4 this room because they used this almost as a study hall.
5 He and some of the committee members would meet, and
6 they actually did a lot of research. They drafted
7 language. They redrafted it. They redrafted it again.
8 And over the period -- Lauren, what was it? Like a year
9 and a half, I guess, right?

10 MS. McKEAN: Mmm-hmm.

11 MR. PRICE: Then over the objections of the town
12 boards, they presented it to a town meeting, and there
13 was a successful vote. And what that did was that gave
14 a new requirement of zoning within the Seashore District
15 in the Town of Wellfleet.

16 (Ms. Lyons and Mr. Clark enter the room.)

17 MR. PRICE: And I don't know if you see my Park
18 newspaper. Every year I usually do a superintendent's
19 article, and that year I put "Wellfleet, a Town of
20 Heroes" because no one called up Gooz and said, "We want
21 you to do this." He wasn't doing it because of the Park
22 Service. He was doing it because of his community. And
23 Tom and Peter and others, it resonated with them, so
24 that's why he came forward to do that.

1 After he did that, he then backed away. He wanted
2 to do his own private agenda, his own family, his own
3 property, and his own other initiatives. We would have
4 other people call up and ask, you know, "Can we find out
5 how this was done?" Gooz wasn't interested in getting
6 accolades for it or pursuing being the expert on it. He
7 basically stepped forward. I was equating this because,
8 of course I'm an historian, I always think of the
9 Citizen Soldier. His time -- this is Gooz Draz we're
10 talking about.

11 MS. LYONS: Yes, yes.

12 MR. PRICE: His time was to step forward on
13 something he felt very passionate about. He made a
14 difference, and then he stepped back. And I really
15 always respected the man for that. You know, 60 years
16 old is not old.

17 MS. LYONS: No.

18 MR. PRICE: You know, we think of his family at
19 this time and really appreciate his legacy for what he
20 did for the Town of Wellfleet and for the National
21 Seashore.

22 Thank you.

23 MR. DELANEY: Thank you, George.

24 Other comments? Yes, Lilli?

1 MS. GREEN: I miss both of them tremendously. They
2 were both good friends. And since Tom is on the
3 Commission, I did bring a card for Janet and the family,
4 and I'll pass it around, if you'd like.

5 MS. LYONS: Thank you, Lilli.

6 I don't know if you spoke about Tom's memorial
7 yesterday.

8 MR. DELANEY: I mentioned it, but if you want to
9 reflect on what happened there yesterday, you're welcome
10 to.

11 MS. LYONS: No, it was really an amazing tribute.
12 I got there and upstairs, downstairs was being filled.
13 There was a line. The line outside was just really
14 incredible. It was a beautiful service in its own
15 right. It was really a celebration of Tom, of all the
16 things that he was, all of those -- you know, Tom had a
17 range of qualities. They went from very thoughtful and
18 understanding and deliberative to he could be very
19 blunt. You know, there were a lot of different words
20 that came out. Everybody chuckled because everybody had
21 those experiences with him. But he really cared, and
22 he's cared for a long time, as did Gooz. I just saw
23 Gooz right before. I hadn't seen him in over a year,
24 and it was -- I met him at Sam's maybe three weeks

1 before, and it was just so good to see him. So it made
2 it a double shock. It was a real loss for the
3 community. We lost several people, you know, older
4 people who were once the same caliber of involvement and
5 they're older now, a couple of people. Mrs. Rowe, Maude
6 Rowe died. So it was a real big loss for Wellfleet this
7 -- and for the Outer Cape and for all of us. But it was
8 quite a tribute to Tom.

9 MR. DELANEY: As it should have been.

10 MS. LYONS: He would have been -- he would have
11 loved to have been there.

12 MR. DELANEY: Thank you, Sheila.

13 MS. LYONS: Thank you.

14 **ADOPTION OF AGENDA**

15 MR. DELANEY: Okay, so moving on, you have been
16 sent an agenda, and we will, as we always do, vote to
17 adopt it unless I hear suggestions for changes or
18 additions.

19 MS. BURGESS: So moved.

20 MS. LYONS: Second.

21 MR. DELANEY: All those in favor, signify by saying
22 aye.

23 BOARD MEMBERS: Aye.

24 MR. DELANEY: Okay, good.

1 **APPROVAL OF MINUTES OF PREVIOUS MEETING (SEPTEMBER 14, 2015)**

2 MR. DELANEY: We start in with the first item or
3 the second item actually, which are the minutes from our
4 previous meeting, and they have been duly recorded as
5 always.

6 Thank you.

7 And we look to our representative, our scribe from
8 Eastham, to tell us whether or not they're accurate.

9 MR. NUENDEL: Well, thank you, sir.

10 I started reading these again like I normally do,
11 and I got to thinking about all the hard work,
12 especially at this 300th meeting we're having today --
13 all the hard work that goes into taking our words that
14 we're sharing today and putting them on paper.

15 And I've got to just say thank you, Linda. That's
16 got to be quite the challenge for you to do this, and we
17 really appreciate it. I'm sure everyone feels that way
18 around the table.

19 MR. PRICE: Yes.

20 MS. LYONS: Yes.

21 MS. BURGESS: Indeed.

22 MR. DELANEY: Yes, thank you. Well stated.

23 THE COURT REPORTER: Thank you.

24 MR. DELANEY: Any changes or recommendations or

1 corrections on the minutes?

2 (No response.)

3 MR. DELANEY: I hear none, so I'll ask for a motion
4 to accept.

5 MS. LYONS: So moved.

6 MR. DELANEY: Second?

7 MS. GREEN: Second.

8 MR. DELANEY: All those in favor, signify -- in
9 favor of approval of the minutes as printed, signify by
10 saying aye.

11 BOARD MEMBERS: Aye.

12 MR. DELANEY: Opposed?

13 (No response.)

14 MR. DELANEY: Okay, good.

15 **REPORTS OF OFFICERS**

16 MR. DELANEY: Reports of Officers.

17 My report only will be as the chair to note that
18 this is, once again, the 300th meeting of this group.
19 The very first meeting was here in this room. It was
20 March 2, 1962. There had been a previous meeting, but
21 it really was an organizational meeting in February --
22 on February 16, 1962, in Washington that our first
23 chair, Hank Foster, traveled to by train because of the
24 pending snowstorm that jeopardized it. There ended up

1 being a derailment on the way down, and he was two hours
2 late but still showed up, took the gavel, and then held
3 that -- this for many, many years. If you haven't had a
4 chance to read his book about us -- and I hope there are
5 still copies around -- this is kind of a treasured
6 report, but it's really a terrific document. And he
7 details, as only Hank could, discussions and the
8 background and the politics and who said what, including
9 members. A great history of some of the early battles
10 that involved people who sat in these chairs before us.

11 And I won't take too much time with this, but it
12 was really fun to see some of my former colleagues,
13 namely Dr. Barbara Mayo, founder of the Center, but
14 very, very active in the early years of this commission.
15 Actually, Hank divides us into early years and early
16 years today. But Barbara was very involved in helping
17 the Park devise the off-road vehicle management plan and
18 the pond management plan, and there were several
19 references to her in this document that would say what
20 outstanding work she did. She did documents that were
21 precise, science-based, thought -- well-reasoned, and
22 that was her. She was wonderful. We've lost her.

23 MS. LYONS: Yeah.

24 MR. DELANEY: Also mentioned is Dr. Herb Whitlock,

1 a name that's worth remembering. He was one of the
2 founding presidents of the Association for the
3 Protection of Cape Cod back then. It's changed its name
4 since. He lived in Eastham right out on Nauset Marsh,
5 and he was a very, very steady, strong, determined voice
6 among us to move the Park forward.

7 So we could go on and on, and maybe when we get to
8 the reception at the end of the day, which will be at 3
9 o'clock, we'll have a chance to reflect and share these
10 stories among ourselves. There will be some other names
11 to mention, but I wanted to mention those three key
12 people who sometimes get overlooked but were one of many
13 of our predecessors who helped bring us to where it is
14 today.

15 So that's my comment as the chair. We don't often
16 have a chair's report, so it was good to be able to do
17 that.

18 **REPORTS OF SUBCOMMITTEES**

19 MR. DELANEY: Now, I'll ask for reports from the
20 subcommittees.

21 **UPDATE OF PILGRIM NUCLEAR PLANT**

22 **EMERGENCY PLANNING SUBCOMMITTEE**

23 MR. DELANEY: And, Maureen, you've been extremely
24 busy and productive as well, and I just will introduce

1 this topic by saying it was three, four years ago when
2 you brought this topic to our attention, the issue of
3 Pilgrim.

4 MS. BURGESS: Yes.

5 MR. DELANEY: And it seemed like a daunting
6 assignment. How could we ever get this huge plant and
7 this bureaucracy in Washington to pay attention to
8 what's going on here? So I'm not going to pat ourselves
9 on the back yet, but we're making great progress.

10 And would you like to report on that progress,
11 please?

12 MS. BURGESS: Sure, reporting on the Pilgrim
13 Nuclear Power Plant Emergency Planning Subcommittee.

14 And, Mr. Chairman, since you -- in light of that
15 introduction, I just want to thank you and the
16 committee. When I came on as an alternate in the
17 Commission in 2011, this Pilgrim plant was coming up for
18 relicensing, and it was 40 years old. And in my mind I
19 thought all of the things that we concentrate on in this
20 commission would be secondary if -- moot. All of our
21 concerns would be moot if there was a disaster at
22 Pilgrim because all of our natural resources are bay.
23 All the things that we care about would have been
24 destroyed. So thank you for creating this ad hoc

1 subcommittee and for keeping it on the agenda. I'm very
2 appreciative.

3 Well, we last met in September, and a lot has
4 happened. If you remember, in September we were talking
5 about the recent downgrading of the Pilgrim Nuclear
6 Power Plant in Plymouth because of the repeated safety
7 violations, and the NRC had downgraded it to one of the
8 three worst plants in the country. Over these past few
9 years, we as a commission have taken a stand where we
10 could -- usually in the form of letters either to the
11 NRC or to the Governor and also in support of
12 legislation.

13 Well, shortly after our meeting the whole issue of
14 the cost seemed to come to a head, and as a result of
15 the repeated safety violations and shutdowns, Ms.
16 Sheehan, a spokesman for the NRC, said that last year's
17 inspections cost the company \$1.8 million and that
18 inspectors spent 6,500 hours at that plant at a rate of
19 \$279 an hour. So economics were really in the
20 crosshairs, and I think we all realized that eventually
21 it would be sort of a follow the money trail. As you
22 read back in October, the cost seemed to really come to
23 the forehead, and Entergy decided that they would close
24 the plant down in 2019 really because they just couldn't

1 keep up with the cost of making the safety -- taking
2 into consideration the safety violations and the
3 operational failures, and they just I think realized
4 that they couldn't make a profit anymore.

5 So with that announcement I just want to bring to
6 everybody's attention it's my time to back up and say,
7 "Okay, it's closing down. You don't have to think about
8 it" because right now it's a very critical time based on
9 their very -- based on Entergy's very sloppy management
10 of the plant since they've had it. I think there is a
11 concern that during this move towards the
12 decommissioning they may very well continue to ignore
13 the requirements made by the NRC to upgrade safety.
14 Christine Legere in the *Cape Cod Times*, I'm sure you've
15 seen, just keeps pointing out more and more safety
16 violations that are being -- you know, bringing them to
17 our attention.

18 One of the dangers is that they will walk away
19 without an adequate decommissioning fund, and they may
20 try to just mothball the plant, which they are allowed
21 to do for 50 years before they actually get all of the
22 spent nuclear waste out of the fuel pool. So our
23 senator, Dan Wolf, had already proposed legislation
24 before we even heard of the announcement that it was

1 going to close, and he had proposed two bills. One
2 would impose a \$10,000 annual charge for each spent fuel
3 bundle that remains in the pool. So that move largely
4 should incentivize Entergy to try to get those fuel
5 assemblies out of the fuel pool and into dry cask
6 storage. Currently they have about -- each assembly
7 holds multiple fuel rods, which are the rods which
8 contain the pellets of uranium which then are used to
9 boil water, which then turns the turbines that makes the
10 electricity. So there's about 280 of those spent
11 assemblies crowded into these fuel racks in the very
12 vulnerable spent fuel pool.

13 So that was one bill that's on the table, and
14 another one by Senator Wolf would impose a \$25 million
15 annual fee which would go into a decommissioning fund.
16 So the idea is that every plant in Massachusetts would
17 have that requirement to put \$25 million into a
18 decommissioning fund.

19 So actually after our last meeting and after the
20 announcement of the closure in 2019, I did on behalf of
21 the chair's approval, did on behalf of our commission go
22 to the statehouse for a speak out to address -- to bring
23 the issue of let's not be lulled into a false sense of
24 security now; let's make sure that this decommissioning

1 is done right. And it was a speak out to encourage the
2 Governor and legislatures to stay on top of this and to
3 be active in overseeing the decommissioning process. So
4 I have those remarks, remarks Lauren put in your packet,
5 so you can see those. It's also -- the whole commentary
6 with various speakers is available. I can give you a
7 link for -- you can watch the entire thing, if you'd
8 like.

9 Another thing you have in your packet is a copy of
10 the letter that we sent to the two chairs of the Public
11 Health and Safety Commission, which Sarah Peake's bills
12 came before. That was H.2030 and H.2031. And our
13 commission sent a letter in support of that legislation,
14 so you have that in your packet. And you also have a
15 copy of our latest letter, which goes to the chairs of
16 the Joint Committee on Telecommunications, Utilities and
17 Energy, and that committee will be having a hearing
18 tomorrow at 1 p.m. on Beacon Hill. And both are Senator
19 Wolf's bills, S.1797 -- that's the one establishing the
20 fee on the storage of spent nuclear fuel in pools -- and
21 Senate Bill 1798, which has to do with the establishment
22 of a fund to provide monies for the post-closure
23 activities at all nuclear power stations. And I will be
24 testifying at that hearing on behalf of the Commission.

1 There will be a number of people testifying. Actually,
2 if you're interested, I have the panels that will be
3 testifying. You can see which panel I will be on
4 representing the Commission. So I'm looking forward to
5 that. This testimony had to be very, very, very
6 carefully crafted because we had to make sure that we
7 weren't mentioning public health and safety as we were
8 with Sarah's bills, but the impetus really had to be on
9 the economics. And so it took quite a few revisions to
10 get the testimony just right.

11 So with that I just also wanted to tell you that
12 our study that we did, that we commissioned back in
13 2014, an analysis of the impact of a disaster at the
14 Pilgrim Nuclear Power Generating Station, we are going
15 to be referencing tomorrow. And I have been told by
16 Seth Rolbein, the senator's aide, and also Mary Lampert
17 from Pilgrim Watch and several other people how they
18 have used our study that we commissioned through UMass-
19 Amherst in support of the legislation or programs that
20 they've spoken in favor of.

21 And I was speaking with Ted Thomas. You remember
22 our colleague from -- former alternate from Wellfleet,
23 and Ted gave me permission today -- and it's all sort of
24 coming together -- to tell you -- I did not know who the

1 anonymous donor was who funded the \$5,000 that was
2 required for the study. Well, guess who it was? It was
3 Gooz.

4 MR. DELANEY: Oh, my goodness.

5 MS. LYONS: Wow.

6 MS. AVELLAR: Wow.

7 MS. BURGESS: Yeah, and that's the gentleman that
8 you just mentioned that passed away. So this is his
9 obituary. So it was Gooz who funded it. And Ted wanted
10 me to -- he felt that the time was right that we could
11 mention it, and I think it would be great if we wrote a
12 little letter to his family and thanked him for that.

13 MS. LYONS: Absolutely.

14 MR. DELANEY: What an amazing story. My goodness.

15 MS. BURGESS: What an amazing story, right?

16 MR. DELANEY: Wow.

17 MS. AVELLAR: I'll move that the letter be written.

18 MS. LYONS: Second.

19 MS. GREEN: And I'll second it.

20 MS. LYONS: We'll both second that.

21 MS. BURGESS: So unless anybody had any questions,
22 that's --

23 MR. DELANEY: Thank you. That's a lot to digest.
24 That's really, really amazing all the way around.

1 MS. BURGESS: Yes, it is.

2 MR. DELANEY: This whole chapter -- and I think
3 we're not declaring total victory yet, but I believe
4 this will be the latest chapter. This whole issue of us
5 tackling Pilgrim, commissioning the economic study,
6 having local people on an outside committee, like Goos,
7 all part of it and you leading the charge to the
8 statehouse with our senators is worthy of the latest
9 chapter in the history of the Seashore, of the Advisory
10 Commission. It's really amazing stuff.

11 Yes?

12 MS. AVELLAR: The thing that really bothers me the
13 most about Pilgrim is what I perceive to be total
14 silence from our congressional delegation. You never
15 hear anything from them.

16 MS. BURGESS: Oh, no, no, no.

17 MS. AVELLAR: I don't get the *Cape Cod Times*. I go
18 to town hall and read it. I mean, I don't feel like
19 they've taken the lead. I mean, the Nuclear Regulatory
20 Commission, are they on board with this?

21 MR. DELANEY: Maureen can address that very easily.

22 MS. LYONS: Markey especially.

23 MS. BURGESS: I didn't include it in the packet,
24 but just when Pilgrim announced that they were going to

1 move towards closing, the entire congressional
2 delegation from Massachusetts wrote a letter supporting
3 the need for oversight of the process so that they don't
4 walk away and not provide money for decommissioning and
5 make it safe by putting the fuel in dry storage, in dry
6 cask. So they did, all -- the entire delegation.

7 MS. AVELLAR: It just seems to me that if it wasn't
8 for Sarah and Dan --

9 MS. BURGESS: Markey is very --

10 MS. LYONS: Markey has been very remarkable about
11 this and Elizabeth Warren. And Keating, I think you
12 have to -- you know, I'm not giving him a pass.

13 MS. AVELLAR: And he lives nearby.

14 MS. LYONS: He's a new guy and he also has
15 Plymouth, so he does have to -- he responds to when it's
16 right there. We talked about this a long time ago, and
17 he said, "It's going to be economics that will bring
18 that down," and it is. And that's why it's good to
19 focus on the economics because, unfortunately, that's
20 what people can respond to and wrap their head around of
21 how much this could cost the state. What will happen to
22 these 350 people who work there now? We have four years
23 to either redirect, retrain, ensure that they will have
24 something at the end of this. I think that has to be

1 really part of the conversation. And what is going to
2 be the liability from hereon between the state, Entergy,
3 federal? So now it's easier. When you have that in
4 your district, it's -- you know, sometimes you get mad
5 at people for not stepping up, but they wouldn't be
6 there when you do need them if they put themselves out
7 there earlier maybe. So I'm sure that's what he's --
8 but they are all involved, and they're all supportive
9 and some more actively. But Markey has done some great
10 requests and legislation and studies he's asked for,
11 constantly putting the pressure on.

12 MR. DELANEY: Again, thank you.

13 Any questions of Maureen on the Pilgrim issue?

14 MS. AVELLAR: Thank you, Maureen.

15 MR. DELANEY: Yeah, please let the record show it's
16 a huge service you've done for all of us leading the
17 subcommittee while you were also the chair of another
18 subcommittee. So I'm going to come right back to you
19 and make a note that we need some more chairs of
20 subcommittees to volunteer next year.

21 NICKERSON FUND UPDATE

22 MR. DELANEY: But Maureen's also been leading our
23 effort with the Joshua A. Nickerson Fund. I'll just
24 say, by the way, another name that's mentioned

1 prominently in the history of the Commission.

2 But would you give us an update on that issue as
3 well? Thank you.

4 MS. BURGESS: Sure. Just briefly, the committee
5 did meet with Dr. Sophia Fox, who's taking over as the
6 research monitor for Megan Tyrrell. And we worked on --
7 Sophia had some ideas of possible additional funding
8 mechanisms, and we did work on improving the RFP, the
9 requests for proposals, and the cover letter. So that's
10 in the works.

11 I did ask her, Lauren, if she had it, if she could
12 send it to you when everyone had, you know, put their
13 thoughts in, but I guess it didn't get to you yet. I
14 was going to have it distributed. So that's in the
15 works.

16 MR. DELANEY: Good.

17 And there is a handout in your materials.

18 MR. ROBINSON: I'm responsible for that.

19 MR. DELANEY: Thank you for your contribution to
20 the subcommittee too.

21 MR. ROBINSON: Well, I haven't been on the
22 subcommittee. I've just been kind of looking in over
23 the threshold and cheering them on a little bit.

24 What I just drafted up has not even been vetted by

1 the Friends group, so I apologize for getting out ahead
2 of them, but I'm hoping that Bruce Hurter, who
3 represents the Friends and has been active in this
4 committee, will take this to them with the idea that we
5 need to get more money into that fund. That was the
6 premise. And so by using some little snippets of case
7 studies of how this money has been useful -- the whole
8 idea is that it's basic research, but it's also applied
9 research, research that can be used by management staff
10 decision-makers to run the Seashore on a sound science
11 basis. And I think that there can never be enough money
12 for that. But I hope that the Friends -- they do have a
13 section of their website that encourages people to
14 donate to this fund, among other projects that they're
15 involved with.

16 But I think with the Centennial year coming up,
17 that would be the time to kind of get this out a little
18 bit more, so I'm hoping that those of you who are
19 involved with the Friends group can kind of do some
20 cheerleading with them, and hopefully they will want to
21 use this as a springboard to double the fund. I don't
22 know how they've done so much with so little, frankly.

23 MR. DELANEY: Yeah. Well, thank you, Mark. It's
24 worth stating again that one of the operating principles

1 of our commission is to make our recommendations based
2 on the best available science, and here is the mechanism
3 by which we produce young scientists who can understand
4 that and help produce the science in the future. So
5 it's very germane to our operating principles and to our
6 issues. So thanks, Mark.

7 MR. ROBINSON: Thank you for your cogent quote in
8 here.

9 MR. DELANEY: I just noticed that. You made me
10 sound better than I deserve. Thank you.

11 (Laughter.)

12 MR. DELANEY: Okay, so when it comes time for your
13 own income tax forms to be made at the end of the year
14 and you're looking for deductions for those millions of
15 dollars we all make, maybe you could send a couple bucks
16 to the Friends.

17 All right, thank you both, and I think that is it
18 for subcommittee reports, so now I'll turn to
19 Superintendent Price and ask you to do your report for
20 us.

21 Thank you.

22 MR. PRICE: Rich, thank you very much.

23 **SUPERINTENDENT'S REPORT**

24 MR. PRICE: We have a couple of topics on the

1 Superintendent's Report for this meeting.

2 As you know, for a number of months, we've been
3 anticipating the rollout of the shorebird management
4 plan, and for a variety of reasons, it's been held up.

5 We also have Pat -- there was just a big shout-out
6 about the Friends. Pat Canavan just walked in, who's
7 the president of the Friends.

8 AUDIENCE MEMBER (PAT CANAVAN): I brought my own
9 chair.

10 MR. PRICE: Oh, okay.

11 (Laughter.)

12 MR. PRICE: So as it turns out, this meeting now
13 basically -- rather than the normal topics that I go
14 through, we basically have asked that there be two
15 presentations. The first one would be the shorebird
16 management plan, and then the second one is on the Outer
17 Cape bike and pedestrian plan. I appreciate the fact
18 that our colleagues from the Cape Cod Commission are
19 here.

20 So I think the challenge is going to be, Mr. Chair,
21 to manage the time so that we can have both
22 presentations at the same time. Also, you and I didn't
23 talk about this ahead of time, but a thought might be
24 that after the shorebird management plan you might

1 entertain the public comment for that piece and then do
2 the bike and pedestrian and then the public comment for
3 that piece. That just might be --

4 MR. DELANEY: That's a good suggestion. Let's do
5 that, yeah.

6 SHOREBIRD MANAGEMENT PLAN

7 MR. PRICE: So jumping into the plan, under NEPA,
8 the National Environmental Protection Act, when we need
9 to come up with major decision-making requirements, we
10 go through a NEPA process.

11 Many of you will recall that about five years ago
12 the whole idea of predator management became very acute,
13 specifically as it was involving the terns and the
14 piping plovers, and we actually put forward a plan that
15 was going to have to be a very specific, selective
16 predator plan. It was made clear to us that the Park
17 had not done a sufficient overall planning program under
18 NEPA, and we undertook that process. Little did I know
19 it was going to take five years, three division chiefs,
20 a contractor, and I can't even count the number of hours
21 that we've devoted to this because, although Mary Hake
22 is seen as the point person on this as our natural
23 resource person overseeing the shorebird plan, it's been
24 an interdisciplinary effort from interpretation, from

1 planning, from our law enforcement rangers really across
2 the board.

3 And actually, Jayne, I think you're our second or
4 third contractor, so it has been a long piece.

5 I just want to mention a couple of things to start
6 off. Number one, it's all on the web. Mary did print
7 off one copy. It's about this thick (indicates)
8 because, as it turned out, this is from our view not
9 just about predator management. It's about an overall
10 shorebird management plan, which had never been codified
11 in the plan before like this. So the more we got into
12 it, the more effort was really gleaned on it. So as you
13 take a look at it, it talks about our managed beaches.
14 It talks about our open space. It talks about off-road
15 vehicles. It talks about a lot of things, many of which
16 the plan basically codifies very closely to the way we
17 operate right now, but it puts out different options
18 there. So you'll hear things like flexible management,
19 and we're not shying away from, yes, predator
20 management. Predator management basically is a tool
21 that natural resource management people use, especially
22 at seashores. It's used up and down the East Coast, by
23 my colleagues at other national seashores, and it's used
24 extensively here in Massachusetts. So it's not a new

1 thing. It's just that our process puts it on the table
2 under a spotlight that people get to see what's going
3 on.

4 I had a little experience yesterday. Yesterday
5 morning -- I don't know if anybody else saw -- there was
6 a Sunday morning program on CBS, but there was a section
7 by a National Geographic photographer who has spent a
8 couple of decades photographing animals that are on the
9 verge of extinction. And in his program, which is on
10 display now in the National Geographic headquarters,
11 there are many animals that he photographed years ago in
12 zoos that that was the last surviving member of that
13 species that's now extinct. And we're in a position
14 here at the Seashore, specifically with piping plovers,
15 with the terns that we have, with the red knots that we
16 have -- we're at ground zero for these animals. So we
17 have both the legal and a mission responsibility in the
18 National Park Service to not just protect as is but also
19 to allow the species to become viable so that it will
20 not be on the list in the future. So that's something
21 that is very, very important to us for sure, but there's
22 no question that when we talk about the hot button
23 issue, at least as it's been expressed, we're not
24 pretending that that's a small thing. From our

1 perspective it's just one of the many things that you'll
2 hear about in this piece.

3 So basically following NEPA requirements last
4 Monday, if you recall, two weeks ago we sent out a press
5 release letting people know when it was going to be
6 hitting the streets. Last Monday we sent out a press
7 release saying it hit the streets. Today we're
8 reviewing this with this body. Tomorrow afternoon we
9 will be having a workshop at the Salt Pond Visitors
10 Center, a public program where we'll be able to --
11 people will be able to get a better understanding of
12 what's going on. And basically we posted it for a 30-
13 day review.

14 Two things. Number one, we already were requested
15 by Sharon from the Humane Society, who has been a
16 regular attendee at these meetings trying to keep tabs
17 on what's happening in this process, saying over the
18 holiday period the feeling that that was too short a
19 review for such a complicated document. We heard that
20 comment. We considered it. We consulted our solicitor.
21 So I do want you to know right at this meeting we're
22 adding an additional 30 days to that review period. So
23 that would take it to January 9. So we'll be sending
24 out a press release shortly after this meeting to that

1 effect. In the Park Service under NEPA, with this for
2 an EA, typically we understand 30 days is the process.
3 Sometimes it's 45, but we're going to go with 60. So
4 there's no sense in playing around with that date. I
5 just want you to know out of the box here that's what's
6 happening right now, okay.

7 So basically what I would like to have happen is
8 we'll -- Mary has put together with our staff a
9 PowerPoint. And you all have met Mary. She's presented
10 updates in the past.

11 I also would like to introduce Jayne Aaron. Jayne
12 is an environmental planner from EA Engineering,
13 Science, and Technology, Incorporated.

14 You're located in?

15 MS. AARON: Denver.

16 MR. PRICE: Denver, okay.

17 So Jayne came out both for this meeting and she'll
18 be with us tomorrow to help us walk through so that we
19 can understand the nature of this plan.

20 Mary?

21 MS. HAKE: Thanks, George.

22 Thanks, everyone. I just need to get this started.
23 I'm not familiar with this machine. My first challenge.

24 MR. PRICE: Okay. You do that.

1 MS. HAKE: We'll take a one-minute break here.

2 (Pause.)

3 MS. HAKE: So I'm glad that Maureen got you
4 involved in a little bit of a complex situation with the
5 Pilgrim because this is another topic that is
6 complicated and multifaceted. So I appreciate you being
7 here and listening to the story.

8 So first just an overview of what we're going to
9 talk about today, just a little bit of overview on the
10 Cape Cod National Seashore, why it's important to
11 shorebirds. Some key legislation. Jayne is going to do
12 the section on NEPA, the purpose and need, why we need
13 this project, and discuss the four alternatives that are
14 within the EA that we looked at.

15 As most of you know, the mission of the National
16 Park Service is to preserve unimpaired the natural and
17 cultural resources and values of the National Park
18 System for the enjoyment, education, and inspiration of
19 this and future generations. So that's from management
20 policies. But more specifically, what makes Cape Cod
21 National Seashore so important and special is that the
22 Great Outer Beach is the last relatively undeveloped
23 beachfront in Massachusetts. It's one of the largest
24 expanses of contiguous beach on the East Coast of the

1 United States and provides important habitat for a wide
2 range of wildlife, including shorebirds.

3 So just to introduce you again to those shorebirds
4 that we're talking about, we have the nesting
5 shorebirds, including the piping plover, the least tern,
6 and the American oystercatcher. But as we have
7 developed our shorebird management plan here, we've
8 realized how important Cape Cod National Seashore is to
9 migrating and staging shorebirds. Staging is a term
10 that's used meaning migration but you stay around for a
11 while, for a few months, and that's what roseate terns
12 do. And Cape Cod National Seashore is probably the most
13 important migrating area for that species.

14 The common tern and the recently listed federally
15 threatened red knot.

16 As George mentioned, when we were writing this,
17 there is key legislation that we must follow, mandates
18 that help us in the direction for our management
19 policies and plans for the EA, and they include such
20 large framework items like the Organic Act, but then
21 more specific things like the Endangered Species Act,
22 which protects federally listed species like the piping
23 plover, roseate tern, and red knot, but then even
24 broadly the Migratory Bird Treaty Act of 1918, which

1 protects all migratory birds, about 1,000 birds. It
2 protects their nests and where they live. And then NPS
3 policies, which I stated before, and there are various
4 sections that holds the Park Service responsible for
5 protecting plants and animals and helping in their
6 survival. And then there are smaller things like
7 memorandum of understanding between the Park Service and
8 Fish and Wildlife Service cooperatively trying to
9 protect migratory birds.

10 And now tag team to Jayne.

11 MS. AARON: Thank you.

12 The National Environmental Policy Act, NEPA as we
13 refer to it, is a procedural law, and it's one of the
14 key pieces of legislation and the whole reason why I'm
15 here. But again, it is a procedural law, and it serves
16 two primary purposes. The first is for federal
17 government decision-makers to make informed decisions,
18 and that is done through analyzing the potential impacts
19 of an action prior to that action being taken, and those
20 impacts can be both beneficial or they can be negative.
21 And so that is documented, and it's used to inform
22 whoever the final decision-maker is within the federal
23 government.

24 The second key purpose of NEPA is to inform the

1 public of what the government is up to and allow the
2 public to weigh in to the process. So those are two
3 very key things that NEPA does. But another key thing
4 that the Park Service uniquely looks at when they're
5 doing any type of planning for the management of the
6 park unit is, what is the purpose of that park unit?
7 The 400 and some-odd units within the National Park
8 Service system all were set aside by Congress because
9 they were a very unique, special place. And no two park
10 units are the same, so we need to consider while we're
11 developing plans how to preserve what was important to
12 make Congress set this aside for the public. I won't
13 read that to you because I'm sure you all know it by
14 heart, but obviously it is the very special and unique
15 cultural and natural resources here, but it's also the
16 uniqueness of the Cape itself through its human
17 activities and its distinctive ambience. And the Park
18 Service can't just be looking at preserving it for the
19 here and now. They have to be looking at it for
20 generations to come. So we're constantly having to
21 project out 20, 30, 40 years and trying to preserve this
22 park purpose so that future generations can enjoy those
23 same specialness and those special features and whatnot.
24 The Park is developing an environmental assessment

1 under NEPA, and that has a very specific process.
2 Again, it's a procedural law. It starts out with the
3 Park Service pulling together an interdisciplinary team
4 because something that a biologist decides is a good
5 thing to do may have a severe impact on what law
6 enforcement is trying to do or what the culture resource
7 people are trying to do. So you get everybody around
8 the table to talk through all of the possible
9 alternatives and actions that can be taken and what are
10 the issues going to be and, in order to do that, what
11 data is needed in order to assess the impacts to the
12 environment. Then you formulate the purpose and need.
13 Why do we need to take this action? What problem are we
14 trying to solve?

15 Then the next step is involving the public and
16 agencies. There are other agencies, state and federal,
17 that have jurisdiction over certain things; such as the
18 State Historic Preservation Office will have
19 jurisdiction over State Cultural Resources, so you
20 engage them. But this is the first phase in NEPA where
21 you engage the public, and the public weighs in during
22 the scoping process so they can identify what the issues
23 are from their perspective because, again, they may be
24 looking at something from a completely different angle

1 than we are. They also may have ideas on what some of
2 these actions might be and weigh in to what the
3 alternatives could look like. And then, what are their
4 concerns?

5 Then we take all that information, and we develop
6 the actual document and conduct the assessment. That
7 document goes out to the public, which just occurred.
8 And again, this is the second phase in this process
9 where the public can weigh in and provide comments on
10 the environmental assessment. We look at all of those
11 comments, address those comments, and then prepare the
12 decision document.

13 As mentioned, this process started in 2011 with
14 internal scoping and then went through the public
15 scoping process; then the development of the EA, which
16 was just recently published; and tomorrow we have a
17 public meeting which, again, brings the public and the
18 Park Service together to talk about, get questions
19 answered, that sort of thing. Then during and after the
20 end of the comment period, we analyze all the comments
21 received and prepare the decision document.

22 And now I'll hand it back to Mary.

23 MS. HAKE: Thanks, Jayne.

24 So Jayne talked about the purpose and need. So the

1 purpose of the project is we want a comprehensive,
2 integrative, and adaptive approach to the protection and
3 management of shorebirds for breeding, feeding, and
4 sheltering, and we're looking to achieve and maintain
5 shorebird recovery methods, which we'll talk about a
6 little more further on. And we also want to provide
7 habitat for migrating and staging shorebirds to rest and
8 feed and to provide that multiple use in the Park and
9 recreational opportunities for the public.

10 The need for the project is that the shorebird
11 recovery objectives are not being met. The productivity
12 -- productivity, meaning the number of chicks that
13 fledge per pair, that fly away each year -- is declining
14 below these levels needed to help the species recover,
15 and the major cause is unnatural levels of predators
16 keying into these nesting areas. And just an example
17 is, in 2015, 63 percent of the nests that were lost were
18 due to predation. So it's a serious condition that's
19 occurring.

20 We also know that there are new approaches that
21 have been developed to manage predator impacts, and
22 George touched on that, selective predator management,
23 removing those individuals that are creating the biggest
24 impact at a certain window of time for these threatened

1 and endangered species. And again, new information such
2 as studies that we're doing about roseate terns, about
3 the importance of migrating birds to the Seashore as
4 well as changing beach conditions, sea level rise,
5 global warming, frequent storms, intense storms. These
6 100-year storms that are happening every four or five
7 years now are creating a large impact on our beach
8 ecosystem, and people and wildlife are really beginning
9 to share a shrinking beachfront or coastline.

10 Before we get into the alternatives, which is next,
11 we just thought we'd give just a really quick overview
12 of what is an alternative. This environmental
13 assessment has four. So NEPA requires the National Park
14 Service to look at a range of options and projects, and
15 Jayne touched on this. So these alternatives can be
16 evaluated by the Park, and a preferred alternative is
17 selected. This is the option that best fits the purpose
18 and need, and the Park Service has picked a preferred
19 alternative. The public and agencies are then asked to
20 evaluate it, as Jayne mentioned, and there are four.

21 So what we thought we'd do is, if anyone on the
22 board has a question about what we just discussed about
23 NEPA, we would stop here just in case there were any
24 questions.

1 Anyone have any questions? Yes?

2 MR. SPAULDING: Who makes the final decision for
3 the National Park Service?

4 MS. HAKE: The National Park Service would make the
5 final decision, incorporating all the public comments
6 that were --

7 MR. SPAULDING: But is that the director or --

8 MS. HAKE: Well, it would be George.

9 MR. SPAULDING: That was my question.

10 MR. PRICE: Actually, once I'm satisfied that our
11 staff, our solicitor, our regional environmental people
12 are all on the same page, I then recommend that to the
13 region. The regional director takes my advice as well
14 as the compliance office in Philadelphia. So it's the
15 regional director's signature that's actually on the
16 final policy document based on our feedback and
17 recommendations.

18 MS. AVELLAR: What is the alternative that you've
19 chosen? I couldn't figure it out.

20 MR. PRICE: We're going to get to it.

21 MS. AVELLAR: Oh, it's a surprise?

22 MR. PRICE: No.

23 MS. AVELLAR: I couldn't figure it out by reading
24 the thing.

1 MR. PRICE: Okay.

2 MR. DELANEY: Okay, so thank you on process.

3 MS. HAKE: Okay, here we go. Okay, so now we're
4 going to get into alternatives, and first just an
5 overview of each alternative.

6 So Alternative A is the no action. That means what
7 we're doing right now. Nothing would change. So we
8 would continue current procedures for managing and
9 protecting shorebirds as we define in our current
10 management procedures. So staff would continue to
11 follow and implement all existing policies and programs,
12 and we would expect that shorebird productivity would
13 likely remain low and not meet those recovery goals as
14 we have been experiencing over the past several years.
15 Realize for piping plovers we have not reached the Fish
16 and Wildlife Service recovery goals in the last five
17 years, and we've only reached them in four out of the
18 last fifteen years. So this -- yes, George?

19 MR. PRICE: Just a clarification because this came
20 up in an earlier conversation this morning. The United
21 States Fish and Wildlife Service is the lead agency on
22 endangered species. So that's the group that actually
23 has set the standard federal agency-wide. So all
24 federal agencies, all state agencies are required to

1 take a look at their standards.

2 MS. HAKE: Correct.

3 MR. PRICE: So Joe had asked me was this Fish and
4 Wildlife telling us what to do. Well, I don't look at
5 it that way because they're the legal agency charged
6 with that responsibility. It's kind of like OSHA is
7 charged with safety. EPA is charged with environmental
8 protection. So we as a government agency subscribe to
9 their guidelines and laws and policies as well. So
10 that's the perspective of Fish and Wildlife Service when
11 you talk about -- which is why those standards are
12 important to us.

13 MS. HAKE: Thanks, George.

14 And in Alt. A, our no action, what we're doing
15 right now, we are only using nonlethal methods for
16 predator management, basically predator exclosures that
17 you see out, and we're going to get into that in more
18 detail.

19 Alternative B is increased protection and flexible
20 management, and this is our preferred alternative.

21 MR. PRICE: Right, Mary-Jo.

22 MS. AVELLAR: Thank you.

23 MR. PRICE: Underline it.

24 MS. HAKE: So it would provide an integrative,

1 comprehensive, and adaptive management plan to protect
2 special status shorebird species and likely meet and
3 possibly exceed that species recovery goal that we're
4 talking about by managing predator impacts through
5 lethal selective predator removal. And it also combines
6 some additional recreational use restrictions to protect
7 shorebirds while maintaining constant and predictable
8 access at other specific high visitor use areas.

9 Alternative C is the same as Alternative A, so it's
10 managing shorebirds as described in Alt. A with
11 additional predator management options, including lethal
12 removal. So basically think of Alt. C as the no action,
13 what we're doing now, plus selective predator removal.
14 And there would also be a total ban on kitesurfing,
15 including at Duck Harbor.

16 Alt. D, Alternative D, is maximum shorebird habitat
17 protection. So this is improving shorebird productivity
18 entirely through protective measures, preventing
19 disturbance by birds -- disturbance by birds by visitor
20 activities. So basically what that means, from March 15
21 to October 15, all historic shorebird use areas and
22 other priority habitats, including entire sections of
23 beach -- so from the bluff toe to the water line -- and
24 access points would be closed to visitor use. So it

1 would be about 27 miles. So that includes ORV access,
2 pedestrian access, except at the six lifeguarded
3 beaches, boats, pets, and aerial recreational
4 activities. And this alone may not achieve that
5 recovery goal due to the intense predator impacts on
6 shorebirds. So there would be no lethal removal of
7 predators in Alt. D.

8 So now we're going to get down into the nitty-
9 gritties, and these are the topics that we analyzed in
10 the environmental assessment.

11 So the first one is symbolic fencing. That's that
12 fencing that you see on the upper beach, and what's
13 common to Alternatives A, B, and C is that this fencing
14 is used to identify the habitat for nesting, migrating,
15 and staging shorebirds along that upper beach. And it's
16 about 27 miles, as I mentioned. We install most of this
17 by April 1 or soon after that with the exception of
18 areas that we flexibly manage, which we'll talk about in
19 a little bit, and then we start removing this fencing
20 starting July 1, and all of it is taken down by October.

21 And here's just a map to show you over the last ten
22 years where we have had piping plovers nesting in the
23 Park, and realize this represents where symbolic fencing
24 is up. So when you hear 27 miles, you think, oh, my

1 gosh, that's a lot and realize my shorebird staff have
2 really big arms from pounding in all those posts. So
3 that's a huge area where we would have that fencing up
4 and for Alt. D perhaps where there would not be access.

5 So now we're just going to go briefly into each
6 alternative on the different topics.

7 So for Alt. A, for the protective buffer, we would
8 follow state and federal guidelines for piping plovers
9 and least terns. For American oystercatchers, we would
10 sort of evaluate on a case-by-case basis. And with
11 concurrence from the Fish and Wildlife Service, four of
12 our six lifeguarded beaches would not be fenced early in
13 the season. And these sections could be fenced if there
14 was plover activity, but we could also consider them for
15 flexible management since we want to keep these areas of
16 high use open to the public.

17 For Alt. B, piping plover and American
18 oystercatchers, the fencing would be the same as Alt. A,
19 except for least terns. It may depend on the management
20 scenario. And we up it to six lifeguarded beaches in
21 Alt. B that would not be fenced -- well, it would be
22 partially or all of it would not be fenced. Some of it
23 is fenced at Race Point North that's extremely wide and
24 would be considered for flexible management, again

1 providing for that consistent use of high visitor use
2 areas. And main pedestrian access paths to the
3 lifeguarded beaches will remain open regardless of
4 shorebird activity.

5 Alt. C, again, remember is very similar to Alt. A,
6 so in this situation it's the same. And here you'll see
7 a sort of a common thread of what Alt. D is. So all
8 beaches, upper and lower, access points with historic
9 shorebird use and suitable habitat would be symbolically
10 fenced from March 15 to October 15, except at those six
11 lifeguarded beaches.

12 So what is flexible management? Flexible
13 management is underprotecting nesting piping plovers to
14 prevent high recreational use beaches from closing. So
15 if a piping plover started nesting on a lifeguarded
16 beach, we would have the option to underprotect that
17 pair so that people could still utilize that beach. And
18 because this deviates from the Endangered Species Act,
19 it requires what's called a Section 7 take permit from
20 the Fish and Wildlife Service.

21 So under the no action alternative, what we're
22 doing right now, we already have concurrence from Fish
23 and Wildlife Service to flexibly manage, if needed,
24 three piping plovers on these high visitor use areas.

1 There would be no flexible management on parking lots,
2 the Pole Line Road, or the Inner Dune Road.

3 In Alt. B, it gets raised to five pairs, so there's
4 a little more flexibility. I will say we've only used
5 this once in the past five years, so it's not -- it's
6 not something that is used that often, but we would have
7 that capability. Parking lots, if any of you remember,
8 at Head of the Meadow, which was closed due to some
9 shorebird activity, it would remain open regardless in
10 Alt. B, again providing for visitor use, and the Pole
11 Line Road and Inner Dune Road could be considered for
12 flexible management.

13 Alt. C would be the same as Alt. A, and Alt. D
14 would be the same as Alt. B.

15 Moving on to pedestrian restrictions, again, 27
16 miles of the upper beach is closed in Alt. A, meaning
17 what we're used to, where we see the birds nesting on
18 the upper beach. The lower beach in general is left
19 open, although there are sometimes high tide and
20 complete beach closures to provide an adequate buffer
21 from disturbance to these birds, but we do our best to
22 try to create detours to provide for that visitor
23 access. And staging and migrating shorebirds, with
24 concentrations of 100 or more, we may put up

1 informational signs and, in some areas, area closed
2 signs asking pedestrians to walk around these staging
3 and migrating birds.

4 Alt. B would be the same as Alt. A but less
5 restriction on lifeguarded sections of beach and
6 increased restrictions to protect staging and migrating
7 shorebirds. Okay, Alt. C would be the same as Alt. A,
8 and again, Alt. D is the same in that it's very
9 restrictive. All beaches upper and lower would be
10 closed, and the six lifeguarded beaches would be open.

11 Boats, motorized and nonmotorized boats, including
12 kayaks, in Alt. A, we close sections of narrow beach to
13 piping plovers. If the beach is wide enough, we can
14 have boats landing and people on it and piping plovers
15 nesting. It's these narrow sections that if we can't
16 provide the necessary buffer we would need to close.
17 And other sections of narrow beach, intertidal zone with
18 nesting and/or concentrations of staging, migrating
19 shorebirds may be temporarily closed. And if any of you
20 are boaters, you know on Jeremy Point we do this where
21 we close a section but provide other areas for boat
22 landing.

23 In Alt. B, portions of Coast Guard spit in Eastham
24 would remain open unless further information such as our

1 roseate tern study that we're in right now indicates
2 total closure is warranted or if plovers are nesting
3 again on narrow sections of beach where we can't provide
4 that necessary buffer. And historically important
5 staging of feeding areas and channels in Nauset Marsh
6 could be closed because these are very important resting
7 areas, those exposed flats in Nauset Marsh. And from
8 July 15 to October 15, additional intertidal areas,
9 tidal flats would be closed due to or for the protection
10 of these migrating and staging birds to rest and to feed
11 during their long migration, many to South America.

12 Alt. C, same as Alt. A, Alternative A, and Alt. B
13 is that same, that all beaches, upper and lower, with
14 historic shorebird use would be closed to boats as well.

15 For pets, common to all alternatives is that pets
16 are required to be on a leash, and beaches that don't
17 have these nesting birds are open for pets on leash to
18 enjoy the Seashore.

19 For the no action, for Alternative A, like we do
20 right now from April 1 to September 30, we close that
21 south side of Coast Guard in Eastham to pets as well as
22 Jeremy Point, and then other beaches we close when the
23 shorebirds lay eggs, and we keep them closed until those
24 chicks fly or have fledged. So it reopens when they

1 fledge. And we also could close areas where there are
2 100 or more staging and migrating shorebirds, and that
3 could include the marsh side of Hatches Harbor.

4 In Alt. B, we're going to extend that pet closure
5 at Coast Guard and at Jeremy Point to October 15 instead
6 of September 30, and it will add sections at Hatches
7 Harbor and Herring Cove because of this, the importance
8 of these areas to migrating and staging shorebirds. And
9 for nesting shorebirds, the closures would occur earlier
10 because we would not wait until those eggs were laid.
11 We would start closing it when the birds arrived and are
12 courting so that they don't get disturbed or killed by a
13 dog off a leash. The closures would be that symbolic
14 fencing where we see that breeding, feeding, and
15 sheltering. And areas of 100 or more staging or
16 migrating shorebirds we could close for the protection
17 of the migrating birds. And the beaches would reopen to
18 pets when those postbreeding adults and fledging young
19 are gone.

20 Alternative C would follow what we're doing right
21 now, Alternative A, and again, Alternative D would have
22 about 27 miles of beach closed for all uses, including
23 pets, from March 15 to October 15.

24 Moving on to aerial recreation, common to all

1 alternatives is we would ban aerial activities above and
2 within 200 meters of posted shorebird use areas and
3 lifeguarded beaches; for example, handheld kites, remote
4 radio-controlled planes, and para and hang gliding, and
5 we also have a ban on drones. And this is just a
6 picture that I took at Coast Guard in Truro of a
7 paraglider flying over a nesting area on that beach, and
8 birds perceive that as a threat and are disturbed by it.

9 So for aerial recreational activities, what we do
10 right now is we have banned kitesurfing on all open
11 waters on the ocean and bay side seasonally from March
12 15 to October 15. There is an exception at Duck Harbor
13 on a town-owned section of beach where if there are no
14 nesting birds within 200 meters, kitesurfers are welcome
15 to launch and go out a quarter mile and kitesurf.

16 In Alternative B, it's the same as A, but we would
17 also ban para and hang gliding from March 15 to October
18 15. And Alternative C would be the same as Alternative
19 A and a total ban of kitesurfing, including Duck Harbor.
20 In Alternative D, again, all beaches, upper and lower,
21 with historic shorebird use would be closed from March
22 15 to October 15, plus Alternative B.

23 Our last topic is selective predator management.
24 What is it? So humans have dramatically altered

1 ecosystems, and one result is what we call subsidized
2 predators. Species of wildlife that are
3 opportunistically taking advantage of human-provided
4 foods and their populations have become artificially
5 elevated because of that. Lethally removing individual
6 predators, keying into these nesting shorebirds will
7 help protect rare and threatened species. So moving
8 individual predators of these species that are
9 artificially elevated in populations to create that
10 window of time so that these shorebirds can nest and
11 have young and succeed and we can reach those recovery
12 goals.

13 So it's narrowly focused on time and space. So
14 we're just talking about a very small window of time
15 that these birds are nesting and when we would do the
16 selective predator management. So it would reduce this
17 predation during this very critical time; again, that
18 window of time. Because there are so few individuals
19 that would be taken, it would not affect the overall
20 population of these predators, and if individual
21 predators are removed, it is likely that nest and chick
22 loss, nest abandonment, and adult mortality would
23 decrease and overall productivity would increase. And
24 as George mentioned, there are many national parks that

1 are already implementing selective predator management.
2 And in Massachusetts over 30 sites use selective
3 predator management in their programs, and they saw a
4 correlation between increased productivity and the use
5 of selective predator management. A secondary benefit
6 would be a shorter nesting season. Realize these guys
7 nest up to six times, so that just prolongs the nesting
8 season because if they lose a nest, they'll lay another
9 one and lay another one. So that gets the nest laid
10 very late into the season. So if we can get those birds
11 in and produce some young, it would provide for more
12 flexibility in managing visitor use. We may be able to
13 open areas sooner because we would not have the birds
14 sitting on nests.

15 So in Alternative A, in the no action, again, it's
16 just nonlethal methods through education, garbage
17 management, predator exclosures around piping plover
18 nests, and tern shelters, little houses for the terns to
19 kind of sneak in and get away from perhaps a predator.
20 They also like to get out of the sun.

21 In Alternative B, which is our preferred
22 alternative, it would include the nonlethal, but we'd
23 also add a little bit more trying to manage our garbage
24 because, remember, garbage is what these predators are

1 feeding on. These subsidized predators are taking
2 advantage of potato chips that are left on our beaches.
3 And it would also include lethal, targeting individuals
4 or small groups of predators that are selectively
5 preying on shorebirds. It may include shooting,
6 trapping, and avicides. And realize that over 20 sites
7 within New England use avicides to selectively remove
8 predators, specifically crows. Coyotes and crows are
9 our two main predators that are doing the main impact on
10 our nesting birds.

11 Alternative C would be the same as what I just
12 discussed and went over, Alternative B. And Alternative
13 D, the maximum shorebird habitat protection, would be
14 Alternative B but with no lethal predator management.
15 So basically more garbage management and perhaps
16 electric fencing. In Alternative B, I failed to mention
17 that we would also try electric fencing, which is
18 sometimes used for least terns and colonial nesters.

19 I know that was a lot to digest, and I didn't want
20 to take too long so I went through it quickly, and I
21 appreciate your patience. I think what --

22 MR. PRICE: So, Mr. Chair, just a couple of things.
23 I suggest that we take a few questions while they're
24 fresh in mind with Mary just finishing, but I do want to

1 be sensitive to our colleagues from the Commission as
2 far as their presentation as well. I know one of them
3 has to leave a little early. So maybe we could just do
4 a couple of clarifying questions now, turn it to them,
5 and then open it up to the floor.

6 MR. DELANEY: Thank you, first of all, for a good
7 presentation.

8 Perhaps you should just go back to the one slide
9 that has the four alternatives listed.

10 MS. HAKE: Well, we have one slide for each of the
11 alternatives.

12 MR. DELANEY: Oh, okay. I think we probably have
13 it, but there's a lot to digest.

14 MS. HAKE: Well, I know.

15 MR. DELANEY: Okay. All right, so let's start with
16 questions. Larry?

17 MR. SPAULDING: Is the comment period -- does it
18 just relate to which alternative? If you, say, prefer
19 one alternative but there's an aspect of that
20 alternative that you don't think is good, can that be
21 included?

22 MS. HAKE: Absolutely.

23 MR. SPAULDING: So it's not restricted? You've
24 just got to say that you like A or B?

1 MS. HAKE: Yeah, what we want is whatever feedback
2 you feel on the document, so it definitely can include
3 that.

4 MR. SPAULDING: My second question is, with respect
5 to the lethal predator removals, who makes that decision
6 if it's adopted?

7 MR. PRICE: Basically what this would be doing is
8 giving us -- this plan would set it out as an
9 authorization, and basically as the manager, I would be
10 relying on the staff as to what the picture looks like
11 out there and compare that with how it's been looked at
12 with other places. So it's not a wholesale blanket.

13 MR. SPAULDING: Right.

14 MR. PRICE: But this plan is basically an
15 authorization. And then basically we would manage the
16 predation management the same way we manage everything
17 else; our ability to do it, the safety of it at the
18 time, the necessity of it, and then we would do an
19 evaluation.

20 MR. SPAULDING: So you would be the one that would
21 make the decision then?

22 MR. PRICE: Pardon me?

23 MR. SPAULDING: Would the superintendent make the
24 decision?

1 MR. PRICE: Well, nested under our division, yes.

2 MR. SPAULDING: Right.

3 MS. HAKE: And we also contract through USDA.

4 MR. PRICE: Right.

5 MS. HAKE: They are the experts, and that's who the
6 people who do selective predator management throughout
7 the state, throughout the Atlantic Coast -- they use
8 that agency. That is the lead agency.

9 MR. DELANEY: Mary-Jo?

10 MS. AVELLAR: I have two questions. The first one,
11 in Provincetown at least, we seem to be seeing a
12 decrease in the coyote population, and there's been
13 complaints that the Park Service allows them to be
14 killed to the point where the foxes are taking over. We
15 don't see raccoons or skunks anymore, and we're not
16 seeing coyotes that much anymore. And you're talking
17 about crows and coyotes, so my question is, have you
18 seen a decrease in the coyote population at least in my
19 town?

20 And the other comment is, when you were doing the
21 predator management in the past, there was such a hue
22 and cry against it, if you recall. I don't know if you
23 made the presentation here or someone else did. I was a
24 selectman then, and I said, "Gee, if we had had that

1 presentation in Provincetown, we wouldn't have objected
2 to the potential lethal option." So I think that if you
3 are going to engage in any kind of lethal option, that
4 you need to give that presentation in every single town
5 so that people -- because, truly, I didn't understand
6 it.

7 But have you seen a decrease in coyotes in
8 Provincetown? We don't see them at all anymore, just
9 fox. I saw one right across the street from my house
10 the other night when I had my dog out.

11 MS. HAKE: Yeah, I haven't. I don't know.

12 Chris, have you seen?

13 MR. HARTSGROVE: I haven't seen.

14 MS. HAKE: Yeah.

15 MS. AVELLAR: I don't know where they're going, but
16 they're certainly not on the streets of Provincetown
17 anymore.

18 MR. PRICE: Well, Chris Anderson is a frontline
19 supervisor and ranger in the North District.

20 But two things, Mary-Jo. Number one, the Park
21 Service is not authorized to -- we do not hunt coyotes,
22 period.

23 MS. AVELLAR: Thank you because that's the rumor
24 around town.

1 MR. PRICE: Well, that's incorrect. Coyotes are
2 part of the upland game during the hunting season as
3 under state regulations, but that's the -- there's no
4 additional hunting on our part, and the Park Service has
5 not engaged in predator management up until this point,
6 period. So as far as the decrease in population, that
7 seems to be an anecdotal feeling.

8 MS. AVELLAR: I don't know because I can say I used
9 to see them a lot.

10 MR. PRICE: Chris, do we have -- I mean, every time
11 I go to the dunes, I see the prints all the time.

12 MR. HARTSGROVE: Yeah, I haven't seen a decrease.

13 MR. COOK: Weren't there lots of coyote last summer
14 being fed by the people in the Herring Cove parking lot?

15 MS. AVELLAR: Oh, I remember that, yeah. Two old
16 ladies that would bring food out there.

17 But you'll see a lot of fox, and the fox have mange
18 now. That's a big issue.

19 MR. DELANEY: Anything else on that point? Okay,
20 Lilli?

21 MS. GREEN: Thank you.

22 So will you try the electric fencing before you try
23 the lethal methods?

24 MS. HAKE: Do you want me to answer that?

1 MR. PRICE: Well, what we'll have is we'll have a
2 palette of things that we will try and do. For
3 instance, even up until now the cages, we have found
4 that some animals -- after we put the cages up and we
5 seem to be successful, well, the next thing you know
6 there are animals hanging out at the cages. So we took
7 the cages away to see if that would -- so we would be
8 taking a look at this as an adaptive management plan
9 depending on what works at what time and our ability to
10 actually do it. I can't guarantee to you at this point
11 that it would be an if this, then that, but it would be
12 part of the palette in our plethora of things to do as
13 part of our management program.

14 MS. HAKE: And it would only probably solve one of
15 the problems in that the fencing prevents mammalian
16 predators. It doesn't do anything for avian predators.
17 And for some of our species that are precocial, which
18 means they run around throughout the beaches, that
19 fencing wouldn't protect them. So it would be useful
20 for colonial nesters like least terns, but it may not be
21 as useful for solitary species that nest, like piping
22 plovers.

23 MS. GREEN: And the second thing --

24 MR. PRICE: Just one more thing about the least

1 terns, for instance. So if anybody had happened to be
2 at the Head of the Meadow when the terns were nesting,
3 we're talking about hundreds of yards. We're not just
4 talking about an isolated area of an enclosed acre but
5 basically the whole stretch of beach. And I was
6 mentioning to some people at lunch, the last two seasons
7 those colonies were basically wiped out over one weekend
8 by one coyote. So that's the pressure we're talking
9 about.

10 MR. DELANEY: The second question and then we're
11 going to go on to the next.

12 MS. GREEN: Yes, of course.

13 And so I know that the last time this came up there
14 was an outcry in the community and the Park Service
15 (inaudible). Will the Park Service act in that method
16 -- in that manner again? If there is public outcry,
17 will you not go with your preferred plan?

18 MR. PRICE: Well, basically this was the process.
19 So what we learned the last time was that we didn't
20 adequately address the steps through NEPA. We hadn't
21 done prescoping, which we did in this process. We have
22 spent countless hours and costs doing analysis of all
23 the pieces. So what you're seeing this time is a very
24 different presentation and document. What we are

1 looking for is the impact and the feedback, and then
2 we'll do an evaluation to see if it will tweak any of
3 our alternatives or not.

4 Larry, basically, as you were saying, some people
5 might like something from Column A and Column B, and is
6 there a way to edit the preferred alternative that would
7 make sense for us to move to in the future?

8 MR. DELANEY: Thanks.

9 Anyone else from the table? Yes, Mark?

10 MR. ROBINSON: Mary, could you describe what other
11 partners work with you on the scoping, the alternatives?
12 Any state wildlife agencies or nonprofits, academics?

13 MS. HAKE: Well, I mean, Fish and Wildlife Service,
14 we work with them and other colleagues of mine who are
15 shorebird managers throughout the state of Massachusetts
16 and throughout the Atlantic Coast. And just documents
17 and studies that have been done on all aspects of the
18 plan. I know we're focusing on selective predator
19 management, but it's a much larger plan unrelated to
20 disturbance and the nesting -- I mean, the staging
21 shorebirds.

22 MR. COOK: Wasn't there that session in 2011 where
23 the public was invited to a scoping meeting?

24 MS. HAKE: Oh, yeah, we had an open house that we

1 discussed. There was a public scoping meeting where
2 people, like now, commented on what our proposals were,
3 you know, sort of as we were evaluating how we wanted to
4 go with this plan. So we had the public's input right
5 at the beginning, which is what NEPA requires us to do.

6 MR. PRICE: Including Mass. Audubon?

7 MS. HAKE: Yeah.

8 MR. DELANEY: Sheila?

9 MS. LYONS: Just a follow-up question on that. So
10 when you sent this plan as it is now out -- right now
11 it's out for public consumption.

12 MS. HAKE: Correct.

13 MS. LYONS: Do you make a special announcement or a
14 reach out to various agencies? Sort of like maybe the
15 Association to Protect Cape Cod?

16 MS. HAKE: Yes.

17 MS. LYONS: The Audubon, all the --

18 MS. HAKE: They were all sent.

19 MS. LYONS: They were all --

20 MS. HAKE: Correct.

21 MS. LYONS: -- encouraged to read it and to put
22 their --

23 MS. HAKE: Yes, and to the local, Sarah Peake and
24 local --

1 MS. LYONS: And the legislators and all that?

2 MS. HAKE: Exactly.

3 MR. DELANEY: More from the members?

4 MS. GREEN: One last question. So in my
5 understanding, that the lethal option will be part of
6 the final plan no matter what the public outcry is? Is
7 that --

8 MR. PRICE: At this point we're still looking for
9 the input to help make our evaluation and assessment,
10 and we'll have a plan till we have a plan.

11 MR. DELANEY: I'm going to recognize -- Bill, do
12 you still want to comment?

13 MR. CLARK: Yeah.

14 MR. DELANEY: Bill's an alternate member. I'm not
15 going to go to the audience yet, but Bill is an
16 alternate member of the Commission.

17 Did you have a question?

18 MR. CLARK: A question for you and a question for
19 Mary.

20 The question for you, are you planning to have a
21 subcommittee on this topic since it's pretty complex and
22 there's an extra 30 days in order to review it?

23 MR. DELANEY: Yeah, I was just doing the calendar
24 in my head. We will have time -- we will have another

1 meeting of the full board, the full commission before
2 January 7. We could.

3 MR. PRICE: We could.

4 MR. DELANEY: We still could get it in under the
5 NEPA timeline.

6 So I can't answer you specifically. That's one
7 option for us just to do it as a committee as a whole.
8 The second one I'm contemplating is maybe we'd have to
9 have a subcommittee if we can't make the time frame of
10 getting our comments or recommendations before January 7
11 -- January 9.

12 MR. CLARK: So are you going to ask for a
13 recommendation from the advisory board?

14 MR. DELANEY: We will discuss this momentarily,
15 Bill. We usually take these issues. We listen and we
16 learn. We decide whether or not it's something that we
17 want to make a recommendation on or not. So to be
18 determined.

19 MR. CLARK: If I could ask Mary a question
20 regarding avicides. I know that's still up in the air,
21 but has there been any work done on crows, for example,
22 that have been poisoned and other scavengers that come
23 along and eat the dead crow? What happens to them?

24 MS. HAKE: Yeah, actually, it's probably one of the

1 most researched avicides that is out. And when the crow
2 ingests the DRC-1339, which is what they use, it
3 metabolizes extremely quickly and is out of the crow's
4 system within hours. So it's very, very unlikely that
5 it would affect anything else from eating it.

6 They've done studies where they fed this avicide to
7 northern harriers and to mice, and if it took one egg to
8 kill a crow, it took between three and seven hundred
9 eggs to kill a house mouse. So it's a very specific
10 avicide to crow. And that marsh hawk that I talked
11 about, they fed it -- I think it was 171 days, and the
12 marsh hawk gained weight and did not die.

13 Yeah, Bob?

14 MR. COOK: No, I just had some other -- are you
15 talking about the fact sheet that talks about -- the DRC
16 is -- 90 percent of it or more is metabolized and
17 excreted within two hours of consumption. So it works
18 through the animal very quickly, and as Mary indicated,
19 it's extremely selective. So it's very unlikely that
20 mammalian scavengers in particular would be at all
21 affected by it.

22 MR. DELANEY: Thanks, Bob.

23 Let me go to one more go-around among the members,
24 questions from the committee. Then I'm going to open it

1 up to the public.

2 Anyone from the Commission?

3 MS. McKEAN: We were hoping not to have the public
4 comment till the end because we have to finish the bike
5 path now.

6 MR. DELANEY: I thought we had thought we would
7 have comment on this one.

8 MR. PRICE: Well, that was my original thought,
9 that I was hoping we would be able to do some additional
10 questions since we're --

11 MR. DELANEY: If the members are fine for the time-
12 being.

13 Can I wait on that, Lilli?

14 MS. GREEN: I mean, when are we going to discuss
15 what we're going to do about that?

16 MS. LYONS: Well, after this --

17 MR. DELANEY: Well, we're going to hear from the
18 public -- we will hear from the public on this issue and
19 the bike trail at the end, so you've just got to have a
20 little bit more patience. That's our typical -- for the
21 public, I'm speaking to. That's our typical way of
22 operating. We go cover all the issues, and public
23 comment comes at the end. So we'll have public comment
24 on this, and then we'll deliberate ourselves on what our

1 next step will be on both issues.

2 Okay, so thank you so far for a good presentation.

3 Let's move to the bike trail.

4 ENVIRONMENTAL ASSESSMENT -

5 REVIEW OF PLAN AND PREFERRED ALTERNATIVE

6 MS. McKEAN: Well, you see on the agenda that we
7 have review of plan and preferred alternative. When we
8 put together this agenda, because we do them two months
9 in advance, we thought we were going to be having a NEPA
10 environmental assessment as well on this document. We
11 are not doing an environmental assessment on this
12 document because there's so little new park land that's
13 impacted or affected. We're just talking about widening
14 of existing roads or resurfacing of existing roads
15 within or on park land, federally owned park land, and
16 this has always been a program to look at the whole
17 Outer Cape.

18 So just we do do NEPA. We make sure that we've
19 analyzed all the alternatives and whatnot, and so I'll
20 have Martha Hevenor and Sarah Korjeff of the Cape Cod
21 Commission give us a briefing.

22 MR. PRICE: Are you going to do a PowerPoint at
23 all?

24 MS. HEVENOR: Oh, yes. We've already set that up.

1 It's already in here.

2 (Pause.)

3 MS. HEVENOR: I'm hoping this is less controversial
4 than shutting down Pilgrim or shorebird management.

5 My name is Martha Hevenor. I'm a planner at the
6 Cape Cod Commission, and I'm here with Sarah Korjeff.
7 And I really want to thank you. I didn't realize today
8 was the 300th meeting, and that's an honor to be here.
9 So thanks.

10 I'll be brief. I'm going to run through the
11 beginning fairly quickly, give you some background, talk
12 about the alternatives development process, and then if
13 there's time, Sarah will go through the routes with you,
14 give me a break, and if not, I'll continue with the
15 routes themselves and talk a little bit about next
16 steps.

17 So what do we mean when we talk about the Outer
18 Cape bicycle and pedestrian master plan? Well,
19 essentially what it is, is it's a comprehensive plan to
20 provide bicycle and pedestrian connections between the
21 three towns, Wellfleet, Truro, and Provincetown, and
22 also to provide connections in the towns to the
23 destinations and attractions within the Seashore.

24 The plan is being guided by a steering committee

1 that consists of town representatives and staff of the
2 Park Service and Cape Cod Commission staff. And I just
3 want to note here that -- while we've got some town
4 people here, that the steering committee -- the town
5 reps and the steering committee have been invaluable to
6 this process. We've got town officials from each town
7 and also the chairs of the bicycle and pedestrian
8 committees, and they have just done tremendous work.
9 I've really never experienced such helpful
10 representation from the towns and such great committees,
11 so that's a really great piece of this plan.

12 Public input is an essential component of the plan,
13 and we've had several workshops, which I'll talk to you
14 about in a moment. And in the end when we've got all
15 the work done, we hope to have a master plan that will
16 be a list of all the projects in the individual towns as
17 well as a preferred route between Provincetown,
18 Wellfleet, and Truro, in essence extending the current
19 rail trail.

20 So there are a series of goals that guide the
21 master plan, and in the essence of time, I'll summarize
22 them for you. The primary goals are really to provide
23 an expanded bicycle and pedestrian network between the
24 towns and to destinations within the towns to do that in

1 a manner that would minimize environmental impacts to
2 national resources and cultural resources and also to do
3 that in the most cost-effective manner.

4 And again, I'm whizzing through this. If you have
5 questions, just interrupt me.

6 When we talk about the plan, we have to talk about
7 the partnership. This plan is not a plan by the Cape
8 Cod Commission or the National Park Service. It's a
9 plan of all the partners. That's the three towns,
10 Provincetown, Truro, and Wellfleet; the Park Service;
11 and the Cape Cod Commission. Those are the primary
12 partners. We've also been working with and had great
13 encouragement from our representatives, Representative
14 Peake and Senator Wolf, and we're also going to be
15 working with Mass. DOT and Division of Conservation and
16 Recreation and also the Regional Transit Agency -- or
17 Authority as the plan gets implemented.

18 We talked a little about the routes development
19 process. We've had three workshops, and I'll just touch
20 on the first workshop to begin with. Way back in
21 October of 2014 as the Cape Cod Commission collected --
22 I'm sorry -- completed our initial data collection phase
23 and began to do some alternative screening, we held our
24 first public workshop. And at that workshop we just

1 said to people, "Tell us where you bike, where you walk,
2 where you want to bike, where you want to walk. Tell us
3 about the hazard locations. Where are there tough spots
4 for you to do either of those activities? And also
5 please identify for us where the destinations that you
6 want to go to." So we gathered all that information and
7 did some additional data collection. And when I talk
8 about data collection, I mean the focus of it has really
9 been characteristics of our roadways, vehicle counts,
10 and the various components that would make up a bicycle
11 and pedestrian network.

12 So at the second workshop, we took the information
13 that we got at the first workshop, and we presented them
14 the routes that we heard about as concepts. We asked
15 people that came to the workshop to identify the top
16 route concepts that we had put forward. We also wanted
17 to check in with people and ask them, "Did we get this
18 right? Are we on the right track here?" And at that
19 workshop as well, we asked people, "What do you want to
20 see for the types of accommodations? Do you want to see
21 a separated off-road bike path? Are you comfortable
22 riding within the shoulders? Do you want a bike lane?
23 What about sidewalks? Are there areas in your town
24 where you want sidewalks?" We also asked people -- this

1 always gives me a laugh when we ask people to add
2 comments to the map. I love seeing people scrawl all
3 over the place. But those comments are really helpful,
4 and we incorporate that into our plan development.

5 So after that workshop, we continued on with our
6 alternatives development last spring and through the
7 summer, and we continued to refine those route concepts.
8 We had a really important meeting and I felt successful
9 meeting. George and Lauren accompanied me up to the
10 Mass. DOT offices in Taunton because we've got some
11 elements that are on the access right-of-way of Route 6,
12 and we really wanted to check in with Mass. DOT to make
13 sure that that was actually -- that could be a viable
14 plan. We want to have a plan that is something that can
15 be implemented, not just something that sounds good.
16 And by the way, Mass. DOT was quite open to the idea of
17 having a separate multiuse path on Route 6.

18 We continued the environmental analysis throughout
19 the summer, and we met again. We've been having regular
20 meetings with the town bike committees, and we got some
21 additional information from them, and we further refined
22 the potential routes. Through that time we also
23 continued our own evaluation of the routes to make sure
24 that they were consistent with the goals and the

1 objectives of the master plan, and then just last week
2 we had our third workshop, this time in Provincetown.
3 We've had one in each town. I considered it a very
4 successful workshop. We had good turnout. And at this
5 workshop we asked people to give us information on what
6 would be their preferred alternative, and I think -- I'm
7 going to ask Sarah to go through the alternatives.

8 Thanks.

9 MS. KORJEFF: Great. So I'm going to walk you
10 through the three alternatives that we presented to the
11 public at the workshop, and if you have any trouble sort
12 of remembering what you see up here, it's also all
13 included on this map that you'll be able to look at
14 after the presentation and after the meeting too.

15 But essentially we developed three alternatives
16 using all of the public input we've received thus far as
17 well as all the analysis, and the primary route
18 alternatives are really our focus for right now because
19 they'll really affect what happens in terms of
20 identifying secondary routes. So we've got -- so we've
21 got three primary route alternatives. And it's
22 important to note that because this is a primary route,
23 we are expecting it to provide accommodation for the
24 widest variety of users possible. So therefore, there

1 would be some changes to the character of the roadway in
2 order to accommodate both experienced and inexperienced
3 riders. So with the primary routes, I'll tell you not
4 only how they -- what the potential roadways and paths
5 are but also what the proposed accommodation would be.
6 For example, along Route 6 we would anticipate or we
7 would propose a separated multiuse path to accommodate
8 the widest variety of users and the greatest safety.

9 So Alternative A, which is going to be shown in red
10 -- and I'll mention just that the yellow lines shown are
11 the potential secondary routes that are being
12 considered, and any primary route we're looking at that
13 does not get selected as the ultimate primary route
14 would potentially become a secondary route also.

15 So this one -- I'm going to start in the
16 southernmost point where the Cape Cod Rail Trail stops.
17 This is at the end of the Cape Cod Rail at Lecount
18 Hollow Road. Alternative A, which we consider sort of
19 the existing rail bed and bike path option because it
20 takes advantage of existing segments of the railroad bed
21 as well as existing bicycle paths along through the
22 three towns, would actually follow the route of the
23 existing rail bed almost to Wellfleet Center until it
24 intersects with Old County Road, Old Kings Highway here

1 (indicates), take a short jog there, and then continue
2 on to Cahoon Hollow Road coming out onto Route 6 at this
3 point. And let me also just mention that the dots you
4 see on these maps, the purple dots represent
5 destinations that were identified both by our steering
6 committee as well as by the public, particularly at the
7 first workshop we had, and then these larger dots -- you
8 can see some blue ones here (indicates) -- these
9 represent activity areas that primarily are located
10 along or around village centers but also in some other
11 areas where there is more activity. The yellow ones are
12 activity areas we identified which are in the summertime
13 only.

14 So back to the route. Once we come out onto Route
15 6 right around the Main Street intersection of
16 Wellfleet, the path would continue along Route 6 as a
17 separated multiuse path until it comes to Rose Road and
18 Collins Road just north of the town line in Truro. And
19 at that point as it transitions out to a local road, it
20 would take the form of a four-foot shoulder on both
21 sides of the road, not a separated multiuse path
22 anymore. So continuing along Collins Road up to South
23 Pamet Road and following that back to Route 6
24 (indicates). Now I'm going to have you look down at the

1 bottom of the map again. This is South Pamet Road
2 coming into Route 6. And then once we hit Route 6,
3 following that northward again as a separate multiuse
4 path until we get to South Highland Road (indicates).
5 At South Highland Road continuing north all the way to
6 Coast Guard Beach and then taking a short segment -- and
7 I should say again it has a four-foot shoulder when it's
8 along these roadways -- until it reaches a short stretch
9 of Old Kings Highway, which is currently a dirt road
10 (indicates). And that would be a special situation
11 where we would like to design a non-paved surface for
12 that roadway to keep it -- to make it certainly more
13 accessible to bikers than it is right now, easier to
14 travel on, but we would like to have it be an unpaved
15 surface. And continuing on that short stretch until we
16 reach the Head of the Meadow bike trail, the existing
17 pathway (indicates), it would continue along that to
18 High Head Road and then down to Route 6 again, follow
19 Route 6 along Pilgrim Lake, East Harbor, all the way
20 into Provincetown until we reach Snail Path or Snail
21 Road (indicates). At that point it would turn down to
22 the south and jump onto the existing railroad bed in
23 Provincetown, which is currently a walking path,
24 unpaved. Again, this is a segment which would have

1 special consideration. We want to keep this unpaved,
2 maintain the existing character of it. It would follow
3 that railroad bed until Howland Road when it would take
4 a short jog back out onto Route 6 until it reached
5 Conwell -- and I apologize for how fuzzy this is -- and
6 follow Conwell and Cemetery Road down to MacMillan Wharf
7 in the center of town. So that's Alternative A.

8 Alternative B we term the scenic local roads option
9 because it includes some routes that are less direct but
10 are very scenic in nature, and then we heard a lot of
11 people at the workshops identify these as places they
12 really enjoy riding.

13 So starting back again at the southern point where
14 the rail trail ends, following Lecount Hollow Road off
15 to the east, and up Ocean View Drive and back to the
16 west along Cahoon Hollow Road (indicates). All three of
17 those we'd be talking about a four-foot shoulder for
18 bicycles to travel on. This reaches the same point on
19 Route 6 as Alternative A did, and this is a place where
20 these two alternatives are exactly the same. It would
21 continue along Route 6 to the north till it reaches Rose
22 Road and Collins Road, and then follow that all the way
23 to South Pamet Road (indicates). So as in the previous
24 alternative, when it's along Route 6, it would be a

1 separate multiuse path. When it's on the local roads,
2 it would be a four-foot paved shoulder.

3 And orienting you back down to the bottom of the
4 screen again where South Pamet Road comes in, this would
5 then follow Route 6 all the way up to South Highland
6 Road, but then different from the previous alternative,
7 it would turn west at Highland Road. Follow that
8 underneath Route 6 in the underpass or overpass onto
9 Route 6A, and then follow Route 6A northward all the way
10 to the Provincetown line and then down into the downtown
11 area along Commercial Street (indicates). So really
12 just following it as far as the Route 6A/Commercial
13 Street intersection.

14 And now the third, Alternative C, this is really
15 the Route 6 multiuse path. And Alternative C, the
16 entire route is a separate multiuse path along Route 6,
17 within the right-of-way of Route 6. So you can see it
18 following from Lecount Hollow Road straight up Route 6
19 to Truro, continuing along Route 6 up to Truro Center
20 and back down at the bottom of the screen, following it
21 all the way through the Town of Truro, continuing along
22 East Harbor, following Route 6 all the way through
23 Provincetown right out to Herring Cove Beach
24 (indicates).

1 I just want to specify we have not identified
2 whether the multiuse path would occur on the east side
3 or the west side of Route 6, except for in a few
4 specific locations where we know that there are
5 environmental resources that need to be avoided. And I
6 think the best example of that is in Provincetown in the
7 Shank Painter area, Shank Painter Road area where not
8 only do we have wetlands on the south side that we want
9 to avoid, but also we have the benefit of the old layout
10 of Route 6 on the north side that we could easily take
11 advantage of and place the multiuse path in there.

12 Then just briefly mentioning secondary routes which
13 have multiple purposes in some cases. Towns have
14 identified that they specifically want us to provide a
15 secondary route that is pedestrian-oriented. Along
16 Briar Lane in Wellfleet is what we're showing here.
17 That's one place we heard a lot of comments about
18 wanting a pedestrian sidewalk. And then as an
19 alternative or just in contrast, we also had a lot of
20 people express an interest in providing bicycle access
21 along Chequessett Neck Road leading out to the -- to the
22 Cape Cod Bay Shore in Wellfleet.

23 Okay, so next steps. The first thing really is for
24 the steering committee to get together and determine

1 what would be the preferred alternative for the primary
2 route through three towns. After that we would have a
3 sense of what the secondary route options might be, and
4 we would follow that with workshops in the individual
5 towns, meeting with both town officials, town staff,
6 potentially with members of the public, certainly with
7 members of the bicycle and pedestrian committees to
8 identify their priorities for the secondary routes, and
9 then finally put together the master plan once those
10 series of meetings have been completed and we have both
11 a draft and a final. And at this point the target date
12 for that is late winter of 2016. So not too far away.

13 And I think that's all. Are we ready for
14 questions?

15 MR. DELANEY: Well, thank you, both. That's
16 exciting stuff.

17 So questions on this presentation? Mary-Jo?

18 MS. AVELLAR: There was a presentation in
19 Provincetown last week by people from the Cape Cod
20 Commission about pedestrians, vehicles, and signage, and
21 they really didn't address the bicycle portion the way
22 you have, but Conwell Street is -- I know that there are
23 three speed limits on Conwell Street. It's 30 miles an
24 hour from the traffic lights to Cemetery Road. Then

1 it's 25 miles an hour from Cemetery Road to Harry Kemp
2 Way, and then it's 20 miles an hour from Harry Kemp Way
3 to Bradford Street, depending on who owns the road. The
4 state owns part of it. I've never been able to figure
5 it out.

6 So are you working in conjunction with these
7 people? Because they were talking about making Conwell
8 Street a one-way street going into town. And if you did
9 that, there obviously would be room for a bike path and
10 even a sidewalk because right now it's probably the
11 worst road in town. Are you working with those two
12 guys?

13 MS. HEVENOR: We are and they're working with us
14 too. And I think for their -- when you said their plan
15 lacked pedestrian or the bike stuff, they're waiting for
16 us to sort of pick up more information. They're also
17 working, as we are as well, with your bike committee,
18 who has done a lot of work.

19 But on the question about Conwell Street, from what
20 I understand when they discussed sort of the one-way
21 options, they might have also been responding to some of
22 the recommendations and comments that they got from the
23 public when they were doing their "What do you want to
24 see changed?" And also I know they were preparing for

1 your parking hearing last week where there were
2 questions. Someone had proposed making it one way. So
3 we in our development of the master plan are not right
4 now looking at if Conwell Street is one way. The only
5 option that we have on Conwell Street right now is the
6 portion that the town is working on with funds from the
7 Seashore that goes up Conwell to Cemetery as a shared --
8 as a shared on-the-road path, and so if something --
9 we're taking the lead from the town on what they would
10 like to see on Conwell Street, but it hasn't been
11 specifically addressed in our plan.

12 MS. AVELLAR: Cemetery Road, a lot of people know
13 about Cemetery Road now, and it's practically become a
14 superhighway. It's a scary little road. It's a two-way
15 road, and people can access it from Standish Street and
16 from Alden Street. I just know I use it a lot, and it's
17 a narrow little road. I don't know. Do you have any
18 plans for that or if the bike committee does or those
19 two guys that were here for the traffic hearing?

20 MS. McKEAN: Actually, funds have been turned over
21 from the Park Service to the town, and so the DPW
22 director is in charge of the project to connect from
23 Route 6 to MacMillan Pier at this point in time. And
24 David Gardner is also involved in this.

1 MS. AVELLAR: The town just (inaudible) another
2 requirement to our property so (inaudible) for another
3 alternative.

4 MR. DELANEY: Can I ask Larry to comment?

5 MR. SPAULDING: Once you've got your master plan
6 figured out what you want to do, will your project
7 include a cost information? And b) where are you going
8 to get the money to do it?

9 MS. KORJEFF: Yes, it will definitely include -- so
10 the question was whether we would have cost information
11 in the bike path. Yes. In the master plan, I'm sorry.
12 Yes, it will, though not sort of -- I guess I'm not sure
13 to what level of detail it will be at this point, but
14 we've certainly identified some potential funding
15 sources through both the state and the federal
16 government, and we've also -- I guess depending on where
17 the route is when it's located in the town, that's going
18 to be an important factor too. But the master plan will
19 include more than just identifying the routes. It will
20 also look at the sort of wider variety of safety issues
21 and public education and costs sharing, things like
22 that.

23 MR. DELANEY: Okay, thank you.

24 Anyone else from the Commission?

1 MS. GREEN: It was a great presentation. I'm
2 really excited about the project.

3 And I know, Martha, you're well aware of Ocean View
4 Drive, but I just wanted to make mention of the fact
5 that I've been at some of the board of selectmen
6 meetings, and they were talking about erosion issues in
7 that road. So as you're going forward, I know that
8 you'll keep that in mind.

9 MS. HEVENOR: I might just say that one of the
10 goals of the plan, we want to do something that's cost-
11 effective. So we don't want to put a facility in a
12 place that it's going to need replacement soon. At the
13 same time, we want to address local needs as well.

14 MR. DELANEY: Sheila?

15 MS. LYONS: I was just going to say that on a lot
16 of these sections, especially even on Route 6, you're
17 going to be going in front of businesses and homes, that
18 sort of thing, and you're going to have to widen some.
19 So that's where -- that's probably where the rub will be
20 in the future; like how are we going to expand another
21 two feet over here? And that's a conversation with all
22 of those people as well, correct?

23 MS. HEVENOR: It is, and I do think, Sheila, that
24 -- I think all the routes right now that are proposed --

1 and as part of it, sort of the cost-effective and most
2 implementable plan are proposed within existing rights-
3 of-way. And we all know people have mailboxes in their
4 driveways and things in those rights-of-way, so we want
5 to minimize disruption. So we'll take that into
6 consideration, and I know the steering committee being
7 sensitive to the needs of their own individual towns
8 will also take that into consideration.

9 MS. LYONS: Also, so say you go with one of these
10 plans. We'll just go with maybe two because it's not
11 the direct one. So you have -- there are some that go
12 off in alternatives, and there are all these alternative
13 roads. So I'm looking at my map, and I'm going up Route
14 6, but I see these alternate roads that I could go off
15 to see scenic things. Is there going to be -- because
16 it is cost. I mean, let's face it. So there's not
17 going to be enough money for everything. So a lot of
18 those side roads that are pass-through roads are
19 difficult now, and if you were going to have them --
20 people directed to them as alternates, I'm imagining
21 somewhere there there's going to have to be some sort of
22 work lane. Am I right on that, or are those just --

23 MS. HEVENOR: Yeah, yeah. I mean, the first thing
24 I want to say is that we're going back to the town

1 officials to make sure that when they see the list
2 that's in their town that we've developed, that they
3 say, "Yes, that's what we want."

4 MS. LYONS: Right.

5 MS. HEVENOR: Okay. So we're depending on the
6 local officials to sign off, a), and then b) would be
7 that for those alternate routes, we're looking at the
8 most -- people are already riding on them anyway. So we
9 want to try and improve safety and comfort the best we
10 can. So in many cases it might just be striping a fog
11 line or putting in a share road, or maybe it's signage
12 saying bike route.

13 MS. LYONS: Right.

14 MS. HEVENOR: But because the whole map shows all
15 these routes out there, it doesn't necessarily mean that
16 everything that's in the plan right now is going to be
17 addressed in the final.

18 MS. McKEAN: Yeah, or will be implemented at the
19 same time.

20 MS. HEVENOR: Right.

21 MS. McKEAN: We fully anticipate that after these
22 town meetings -- we've already done it with the bike
23 committees and gone through each road segment -- that
24 they'll put it on their capital improvement plans and

1 that it won't roll out all at the same time. And you
2 may see a share road -- type share of the road situation
3 for several years before you get the implemented room
4 for shoulder alternatives.

5 MS. LYONS: And also on Route 6, now that I'm just
6 thinking about it, there is a bike path that parallels
7 6. It's just a little bit in in Eastham. I know that.
8 And I do have to say that on those sections where you
9 should slow down and you're not really -- you have a lot
10 of things in your head and you're not thinking about,
11 "Oh, this is a bike crossing. I should stop," the
12 flashing lights do help bring people's attention to it,
13 especially in the evening. So I'm actually conditioned
14 now when I am there, but it took the conditioning. Like
15 Pavlov's dog. So but really, those things are cheap
16 ways of bringing that attention of flashing lights and
17 letting people -- like approaching a school at that
18 time.

19 MS. HEVENOR: We have the safe crossing at schools.

20 MR. DELANEY: Here's what I'd like to suggest. The
21 details really are endless, and we'd love to talk about
22 those, but I think what I could do is get a sense of
23 this commission and say that we certainly applaud and
24 welcome your goal of creating a comprehensive bike plan.

1 I think the process, again, is going very well because a
2 lot of these details are town-by-town oriented. But it
3 sounds like you're dealing with the towns very well. I
4 would suggest that whichever plan has the biggest impact
5 on the natural resources of Cape Cod, which I'm guessing
6 might be A, where we actually put some bikes on areas
7 inside the Park boundaries that have not been done
8 before, that may be the only place or aspect where we
9 would want to think a little bit with you a little bit
10 more about some of those details. And I'm sure Lauren
11 is there for us and can help feed us feedback.

12 MS. McKEAN: Sure.

13 MR. DELANEY: So if questions come up about an
14 alternative, it really has natural resource impact.

15 Am I right A would be the one probably?

16 MS. McKEAN: Yes.

17 MR. DELANEY: Maybe not. Whichever one is, that's
18 when we would be happy to spend more time as a
19 commission thinking about how it impacts the larger
20 mission of the Cape Cod National Seashore. But other
21 than that, we think it's -- I think it's great work.
22 Thank you for sharing it with us. Keep going. It
23 certainly is consistent with everything we espouse here
24 for the Park.

1 Okay, so there will be a chance for the public to
2 comment on this in a minute. So we've covered our two
3 big issues with two excellent detailed presentations. A
4 lot for us to digest. I'm just going to move quickly
5 through the rest of the agenda and then get to Public
6 Comment.

7 OLD BUSINESS

8 MR. DELANEY: Old Business. Is there anything
9 under Old Business someone can't wait to bring up?

10 (No response.)

11 MR. DELANEY: Good.

12 LIVE LIGHTLY CAMPAIGN PROGRESS REPORT

13 MR. DELANEY: Mark, the Live Lightly Campaign
14 Progress Report?

15 MR. ROBINSON: I just have a couple slides.

16 MR. DELANEY: I know you have two slides, and if
17 they take one minute each, I'd be happy to have you do
18 them.

19 MR. ROBINSON: It's going to take less than that.

20 MR. DELANEY: All right.

21 MR. ROBINSON: I was going to announce it at the
22 last meeting, but unfortunately, I couldn't attend, so
23 it seems like old news. But June wasn't that long ago.

24 This is our *Live Lightly Campaign* to encourage

1 landowners within or near the National Seashore to
2 consider land conservation options for their properties.
3 This was the booklet that we put out a few years ago,
4 and we've had some success in encouraging landowners to
5 participate.

6 In June, Professor Gerry Holton, who's a physics
7 professor at Harvard -- incredible people on Cape Cod.
8 He's 93 and still teaching. He was a friend of
9 Einstein. He studied with Einstein.

10 (Laughter.)

11 MR. ROBINSON: So anyway, they've had this land in
12 the family for a long time as a summer place, a very
13 simple cottage and a studio for the professor there.
14 There could have been six additional house lots in the
15 seven acres. They used a conservation restriction,
16 retained title in their private hands but extinguished
17 the subdivision potential, so there'll be six less
18 houses and septic systems in this part of town between
19 Cove Road and Route 6, kind of just south of the
20 Wellfleet Post Office.

21 And very -- just a real nice old woodland. They've
22 been living very lightly on that land for 60-70 years
23 and want it to remain still long after they're gone.
24 Some interesting plants. This is the prickly pear

1 cactus, the only cactus that grows naturally east of the
2 Mississippi. There are several places where people have
3 planted in their gardens, but this is actually a wild
4 version of it and some ladyslippers.

5 So we're very thankful for the Holtons for making
6 this donation. They did not donate the land. They
7 donated the development rights so there can't be a
8 subdivision on the seven acres. So it's a very nice
9 thing. So we'll continue.

10 MR. DELANEY: That's exciting. That's great.
11 Thank you, Mark.

12 MR. ROBINSON: While it's not in the Seashore, it
13 was generated by the workshop we had with landowners
14 throughout the town on using this theme, the *Live*
15 *Lightly Campaign*.

16 MR. DELANEY: So very related to our mission, and
17 for those of you who are not familiar with the *Live*
18 *Lightly Campaign* that Mark is spearheading, it's on the
19 website. There are brochures. Pin down Mark after this
20 meeting. They're always -- I know. I'm speaking for
21 him. But always looking for other property owners who
22 are in similar situations. Not even seven acres, but
23 anyone who has an interest in helping conserve property
24 for the future, and many techniques are available to do

1 that.

2 So thank you, Mark. Great, great work.

3 **NEW BUSINESS AND AGENDA FOR NEXT MEETING**

4 MR. DELANEY: Okay, New Business. Anything that
5 someone wants to raise for now or for the next agenda?
6 Let's merge those two items. New Business and the
7 Agenda for the Next Meeting.

8 I have one. I'm curious about drones and use of
9 drones in the National Park System here or anywhere more
10 widely, so any little information on that would be very
11 helpful.

12 MR. PRICE: We'd be glad to present that.

13 MR. DELANEY: Thank you.

14 MR. PRICE: Considering when the Secretary of the
15 Interior was here on a spontaneous visit, somebody had a
16 drone buzzing the seals down at Coast Guard Beach.

17 MR. DELANEY: That's the issue that we and our
18 whales are a little bit concerned about too.

19 Yeah?

20 MS. LYONS: I mean, just for people. I have to say
21 at the Oyster Fest, we were all sort of congregated
22 there near Winslow's, and there was a drone hovering
23 over us, and I did not like that.

24 MR. DELANEY: Probably taking photographs, yeah.

1 MS. LYONS: So it was bothering me too, one of
2 those species that it bothered me.

3 MR. DELANEY: Any other items beyond our regular
4 scheduled Superintendent's Report and other reports for
5 the next agenda?

6 MS. GREEN: Is now a good time to talk about
7 continuing the discussion about the shorebird
8 management?

9 MR. DELANEY: We're coming back to that.

10 MS. GREEN: But as far as (inaudible)?

11 MR. DELANEY: Well, that will be on the agenda, I'm
12 sure, yeah.

13 MS. AVELLAR: When is the next meeting?

14 MR. DELANEY: We're going to decide that next.

15 MS. AVELLAR: Okay.

16 MR. DELANEY: So the agenda will evolve. I just
17 added one, and we're going to definitely have the
18 standards.

19 **DATE FOR NEXT MEETING**

20 MR. DELANEY: The next meeting, would typically two
21 months from now be mid-January?

22 MR. PRICE: Yeah, basically January. And it sounds
23 like you all are interested in a January meeting. So
24 the Mondays that would be useful would be either the 4th

1 or the 11th. I just announced that we wanted to extend
2 the comment period to the 9th. However, if you all
3 decided on the 11th as opposed to the 4th, we could just
4 have the 11th be the final date because it's very
5 flexible at this point.

6 MR. DELANEY: Okay, then why don't we -- well, we
7 may want to have a recommendation at that point on the
8 11th.

9 MR. PRICE: Right.

10 MR. DELANEY: So do you want to extend it to the
11 18th so you can consider that?

12 MR. PRICE: We could do that as well.

13 MS. BURGESS: Could we do it on the 4th?

14 MR. DELANEY: The 4th is right after the holidays.
15 Some people are going to be out of town traveling.

16 MR. SPAULDING: The 4th is right after the
17 holidays. There's the weekend, traveling, so it's not a
18 good time.

19 MR. DELANEY: If we went to the 11th and we were
20 ready to make a recommendation, then I guess you could
21 receive it on that day because that works procedurally.

22 MS. McKEAN: That procedurally works.

23 MR. DELANEY: That would work still?

24 MR. PRICE: Yeah.

1 MR. DELANEY: Okay, so how's that? Let's give
2 ourselves that extra time. We'll meet on the 11th.
3 We'll at that point have our, should we want to,
4 comments on the shorebird management plan, and they will
5 be timely. We can incorporate into final deliberations.

6 Okay, so that's that.

7 **PUBLIC COMMENT**

8 MR. DELANEY: Now, I'd like to turn to *Public*
9 *Comment*. And the public comment period is open for any
10 issue that's come up today or new issues. The
11 superintendent has put a number of things on the table
12 in the past. There may be other things you want to
13 raise for us. I'd only ask you to identify yourself and
14 your affiliation or your town from which you come.

15 Anybody want to speak? Sharon?

16 AUDIENCE MEMBER (SHARON YOUNG): I'm Sharon Young
17 with the Humane Society of the United States. I just
18 have a couple questions about the flexible shorebird
19 management program. We'll obviously be submitting
20 detailed comments. These are questions.

21 One of them is, in looking at the four
22 alternatives, Alternative D was the one that lacks --
23 the only actual alternative that lacks lethal predator
24 control, and it appears that in exchange that all of the

1 beaches other than the lifeguarded beaches would be
2 closed. So is the Seashore seeing that as a
3 conservation equivalent to the lethal predator control?
4 Because -- and this is a statement, not a question. But
5 I didn't see any quantitative analysis about the
6 equivalence of closing all the beaches to the public
7 versus killing up to 50 predators of multiple species.
8 So is that seen as a conservation equivalent by the
9 Seashore?

10 MS. HAKE: Well, in Alt. D, the six lifeguarded
11 beaches remain open.

12 AUDIENCE MEMBER (MS. YOUNG): Say again.

13 MS. HAKE: The six lifeguarded beaches remain open
14 --

15 AUDIENCE MEMBER (MS. YOUNG): Correct, I
16 understand.

17 MS. HAKE: -- under Alt. D, yeah.

18 AUDIENCE MEMBER (MS. YOUNG): Right, but closing
19 everything else is the conservation equivalent?

20 MS. TEVYAW: No, because the predator management
21 will have so much more impact.

22 MS. HAKE: Right, so Alt. D is protecting the birds
23 totally through not disturbing them, you know, because
24 disturbing displacement affects these birds. So in Alt.

1 D, we would close approximately 27 miles of the beach
2 when the birds are nesting in hopes that just that would
3 provide additional protection to help in the recovery of
4 these species, understanding that so much of the impact
5 to these birds is due to predators -- individual
6 predators preying on the eggs and chicks.

7 AUDIENCE MEMBER (MS. YOUNG): Which is correct,
8 which is exactly what the conservation equivalent is
9 because (inaudible).

10 MS. HAKE: I just wanted to make sure I understood.

11 AUDIENCE MEMBER (MS. YOUNG): And then the other
12 question I had was the lethal management can be for up
13 to 50 predators of any combination of species. How will
14 the Seashore because it doesn't have a plan determine --
15 do you take 50 coyotes? Do you take 50 crows? Do you
16 take 25 each? Do you take 18 raccoons? I mean, how
17 will you be making the judgment as to what the
18 combination of that 50 is going to be in terms of -- I
19 mean, obviously you're saying (inaudible) take visiting
20 nests, so what monitoring -- what is going to yield
21 where you decide to kill who?

22 MS. HAKE: Do you want me to answer?

23 MR. PRICE: Well, I think, Sharon, from my
24 perspective, again, as I was describing before, we're

1 looking at this as a palette of opportunities as to how
2 we would actually manage it. So obviously if we decided
3 to implement a predator management piece, we would
4 contract with APHIS and we'd be talking about a certain
5 area, a certain murder or family of crows, a certain
6 number of coyotes in a particular area. So it would be
7 a highly concentrated area where we would be able to
8 document exactly what we've done.

9 We don't have any problem with our data collection
10 as far as documentation of what we're doing. We've got
11 more documentation that we're doing all the time, so
12 obviously we would have a record of what was happening
13 with lethal predation as far as our record-keeping is
14 concerned. And obviously if we're at a time when we
15 were bumping up against those numbers, then our staff
16 not regularly but on a regular basis keeps this record-
17 keeping in place and we'd be able to tell management
18 when we're coming up against these numbers.

19 Does that make sense, Mary? That's how I envision
20 this. We have division chiefs. We have people out in
21 the field. We have regular communication meetings. We
22 have regular documentation we submit especially to the
23 Fish and Wildlife Service, so that would be part of this
24 process as well.

1 AUDIENCE MEMBER (MS. YOUNG): So it's more of an ad
2 hoc, this nest is concerned and this is who's preying on
3 it?

4 MR. PRICE: It's not ad hoc. I would call it
5 adaptive management. It's very specialized management.
6 They're out there every day counting the nests, counting
7 the birds, identifying who the predation is, and
8 therefore, it's not happenstance at all. It would be a
9 measured management approach based on the information
10 that we've received so far. And then we would do the
11 follow-up because obviously we can also learn how, once
12 we implemented measure X, Y, and Z, then what was the
13 success as well.

14 MS. HAKE: Yeah, I would also add that where we
15 would be doing selective predator management is a very
16 small fraction of the entire park. So we would choose
17 areas that have high shorebird use and are being
18 impacted by a selective predator. So like George was
19 saying, Head of the Meadow, 200 pairs of least terns and
20 we're seeing a set of coyote's prints in that area up to
21 nest. That might be a situation where we would call
22 APHIS and say, "Please go there and remove that one
23 individual or those two individuals." So again, it's a
24 very small fraction, and we would choose based on our

1 data of the prints, the footprints of the predators
2 leading up to the eggs, which is how we know they're
3 eating them.

4 AUDIENCE MEMBER (MS. YOUNG): Yeah, as somebody who
5 spends inordinate amounts of my time commenting on
6 federal management proposals, it would have been helpful
7 to have that kind of information in there because just
8 saying we're going to kill 50 of multiple species
9 without explaining the process by which that's going to
10 be done is difficult for the public to understand.

11 And then one last thing, which there may be nobody
12 here to answer, but I noticed that the recovery plan for
13 the plovers is 20 years old. Normally plans are
14 updated.

15 MS. HAKE: Well, they do a five-year review, so
16 there is a five-year status on each species, and that is
17 updated. But yeah, that --

18 AUDIENCE MEMBER (MS. YOUNG): There's been no
19 citation since the '96 plans.

20 MS. HAKE: Yeah. Well, right, the '96 plan is sort
21 of the mother, the base of the decision. The Fish and
22 Wildlife Service hasn't reopened that. It would be just
23 like us opening up our net regs. I mean, it's a large
24 process. So what they decided to do is work off of that

1 and then add updates every five years on the various
2 regions, as an example, for piping plovers.

3 AUDIENCE MEMBER (MS. YOUNG): Okay, thank you.

4 MR. DELANEY: Any other comments from the audience?
5 Yes, in the back row?

6 AUDIENCE MEMBER (NAT GODDARD): I'm Nat Goddard,
7 Eastham alternate for the Commission.

8 MR. DELANEY: Yes.

9 AUDIENCE MEMBER (MR. GODDARD): Point of
10 clarification on the multiuse pathways. That is a four-
11 foot right-of-way whether it be a portion of an existing
12 road or at the side of an existing road, and it would be
13 -- by multiuse it would be pedestrian and bicycle?

14 MS. HEVENOR: So to clarify, the shared use path
15 proposal is for Route 6, and that Route 6 in some areas
16 has a right-of-way of 200 feet, upwards of 200 feet, 100
17 feet plus in other areas. So that would be a
18 significant -- set off a significant distance from Route
19 6, still within the right-of-way. On the local roads,
20 we're proposing -- I think it's primarily four-foot
21 shoulders as the maximum extent. There wouldn't be a
22 separated off-road path on the local roads.

23 AUDIENCE MEMBER (MR. GODDARD): And it would be
24 attached to the road, though?

1 MS. HEVENOR: Yes, yes.

2 AUDIENCE MEMBER (MR. GODDARD): Just an extension
3 of the road?

4 MS. HEVENOR: Right. So in some cases, though, it
5 might not require widening. It may just require
6 re-striping and lane reconfiguration.

7 MS. McKEAN: And that's the share the road, which
8 would be just lesser and not as much ground surface.
9 It's really signage and spraying and painting.

10 AUDIENCE MEMBER (MR. GODDARD): Thank you.

11 MR. DELANEY: Other comments from the public on any
12 topic?

13 (No response.)

14 MR. DELANEY: Okay, thank you.

15 Now come back -- bring the discussion back to the
16 Commission members. I know we have -- we want to decide
17 how we're going to proceed with the shorebird management
18 plan. Can I set aside the bike -- comprehensive bike
19 master plan right now and say we're satisfied with how
20 it's going along and we're not going to take any action?
21 Okay.

22 Now we have to think about how we're going to do
23 the -- if we choose to do the recommendation on
24 shorebird management. First of all, do you think this

1 is a topic worthy of us taking extra time out of our
2 days to come up with a recommendation? Just a show of
3 yes, no, or maybe.

4 Lilli thinks we need to.

5 MS. BURGESS: Yes.

6 MR. DELANEY: Maureen thinks we need to do
7 something. Sheila. The rest of you are kind of maybe,
8 maybe not?

9 MS. AVELLAR: Mmm-hmm.

10 MR. DELANEY: Okay, the two alternative approaches
11 -- the two ways we could approach this is continue to
12 look at the document ourselves, educate ourselves
13 further. It's a fairly complex set of alternatives.
14 And maybe that's kind of why we're saying, wow, this is
15 a big task. A lot of effort has gone into it.
16 Consultants and staff have put an inordinate amount of
17 time into it. There will be a lot of public comment.
18 So the process will generate a lot of focus on this. We
19 certainly can do that as well, but it's going to take a
20 little effort to do that well. But if we choose to do
21 that, then we will at least be better prepared as
22 individuals to make when we come back together -- make
23 some more comments on the plan on January 11 as a group,
24 individuals as a group.

1 The second one is to get a subcommittee together
2 and have us task that subcommittee with really spending
3 time getting the detail and analyzing it further and
4 then coming back with its recommendation to us to think
5 about to use on January 11 to make our final comment on
6 that.

7 So we've used both processes in various topics in
8 the past when we formed subcommittees to deal with most
9 recently the dune shacks. It's a big commitment to do
10 it well, to do it right. I'm not inclined -- I'm
11 looking for some thoughts. Let me just think about it.
12 I'm not inclined to put together a subcommittee right
13 away. I think this issue is not only complicated but
14 science-based. This whole issue of natural resource
15 management is a very sophisticated, complicated set of
16 management techniques. We have experts who have PhDs in
17 that area. I think we have to give a certain amount of
18 credibility to our staff. I think there will be
19 individuals who probably for their own personal reasons
20 and values want to comment on this as individuals
21 outside of this commission. That's fair.

22 So unless I hear two or three people with, you
23 know, the consensus of the Commission being we really
24 need to tackle this as a body, I'm willing to let this

1 one go by because we will have another chance to look at
2 this on January 11.

3 MS. LYONS: Right.

4 MR. DELANEY: Yeah?

5 MR. NUENDEL: Mary, just a quick question. We
6 got this information that you handed out to us, but I
7 noticed during the slideshow there was also another
8 site that was up on one of the slides,
9 parkplanning.NPS.gov/CACO.

10 MS. HAKE: Uh-huh.

11 MR. NUENDEL: Does that have any other information
12 about this in there other than this, or is this
13 comprehensive --

14 MS. HAKE: Oh, the whole document, the whole 280
15 pages.

16 MR. NUENDEL: So if somebody wants to do all this
17 and go in and get it, they can --

18 MS. HAKE: Yeah, what we tried to do here is, since
19 we figured most of you didn't have time at this point to
20 read the document, just to give you an overview to see
21 the big distinctions between the alternatives in hopes
22 that you have --

23 MS. LYONS: Did you say you started to do that?

24 MR. PRICE: You all requested this last time.

1 MS. LYONS: Right.

2 MS. GREEN: Yes, we did.

3 MR. PRICE: And therefore, it was sent out the same
4 day that the general public document was sent out. And
5 it's part of what we'll be summarizing tomorrow
6 afternoon to people that are interested to try to figure
7 out what's happening.

8 So, Don, that's where that came from, and yes, it
9 is a synopsis of what was --

10 MS. LYONS: And you were able to get the
11 alternatives and look at more detailed information?

12 MS. GREEN: I've looked at the plan. And I hope
13 you haven't gotten the wrong impression, but I'm very
14 grateful for the amount of time and energy and science
15 and the researchers that you've used to delve into this.
16 It is very, very detailed and very comprehensive, and I
17 certainly appreciate that.

18 I do know my community in Wellfleet has already
19 heard from people that are -- of course, they did object
20 the last time to lethal management of predators, and
21 they are again this time, and I need to -- as a
22 representative of Wellfleet, I need to bring this to
23 this table, and that's what I've done.

24 MR. PRICE: Yes.

1 MS. GREEN: But I do -- I have really -- I've been
2 reading it, and I intend to read more.

3 MS. LYONS: But what you were saying with the
4 notes, you could take the notes that we were given and
5 go into the plan and then get a clearer explanation as
6 to what -- so it all worked? The information is there?

7 MS. GREEN: Mary-Jo had asked about the
8 organization of this, and I said once I had this in
9 front of me, I was able to go to the plan and really
10 understand it, that this was directing me to areas in
11 the plan, and that really explained it well.

12 MR. DELANEY: Thanks, Lilli, and thanks, Don, for
13 those comments.

14 Other thoughts or questions from the committee?
15 Mary-Jo?

16 MS. GREEN: Oh, I did want to ask one more
17 question. The slide deck, could that be made available
18 to us so that we can take a look at that further?

19 MS. HAKE: The PowerPoint?

20 MS. GREEN: Yes, the PowerPoint presentation that
21 was given today, Mary and Jayne gave.

22 MS. TEVYAW: The only concern is that it has
23 limited information. So you can see the slideshow. You
24 will not have read the plan, so it's not comprehensive.

1 It's a short overview like you have in front of you.

2 MS. GREEN: It's helpful. I mean, it was really --
3 it was well done.

4 MR. PRICE: Right, because we had somebody walk us
5 through it.

6 MS. GREEN: Right.

7 MR. PRICE: It wasn't intended to be comprehensive,
8 though.

9 MR. DELANEY: Okay, so that's --

10 MS. HAKE: No.

11 MR. DELANEY: Okay, that's a no.

12 Mary-Jo?

13 MS. AVELLAR: Well, clearly we have a
14 responsibility to protect the shorebirds. There's just
15 no question in my mind about that. The problem is the
16 lethal option, and as I explained earlier -- and I think
17 this is really a critical component for the Park Service
18 if you don't want to have the same thing happen in the
19 past happen again -- that you have to go out and you've
20 go to have somebody -- where is she?

21 MS. HAKE: Right here.

22 MS. AVELLAR: -- like Mary explain that. Because
23 when that got explained to us a year or so ago, I
24 thought to myself, well, if I had known that then when I

1 was a selectman, I wouldn't have objected because, I
2 mean, it's -- you know, we have a mission, and our
3 mission is if a coyote is wiping out 200 terns, that
4 coyote's got to go in my mind. So I think that -- you
5 know, I don't hunt, but, you know, I stand by the people
6 who want to hunt within the Park Service, within the
7 Seashore because that's one of the traditional rights.

8 So I think that I don't have a problem making my
9 mind up right now, but I'll wait until January to do it.
10 But I think that if the Seashore -- if the National
11 Seashore doesn't go out into the community to explain in
12 detail the reasons for the possibility of engaging in
13 the lethal option, we're going to be right back where we
14 were a couple of years ago, and I think you've got to
15 get on all the agendas between now and January 9. I'll
16 be honest with you.

17 MS. LYONS: I tend to agree. The more information,
18 the better. They can't say -- we can say that they
19 weren't -- there wasn't any venue for them.

20 (Mr. Delaney bangs gavel.)

21 MS. LYONS: Sorry.

22 MR. DELANEY: Ladies?

23 MS. GREEN: Mary-Jo, you were saying the board of
24 selectmen agendas?

1 MS. AVELLAR: Yes, so they can explain it.

2 MR. DELANEY: I think Mary-Jo has articulated very
3 well a recommendation to the superintendent immediately
4 from today to continue the public education that we've
5 had as extensively and as often as we can. And it
6 starts tomorrow obviously. There will be a lot more
7 details, I'm assuming, in tomorrow afternoon's 4 to 8
8 p.m. --

9 MS. TEVYAW: 4 to 7.

10 MR. DELANEY: 4 to 7 at the Salt Pond Visitors
11 Center. So this, I think everyone would agree -- that's
12 one piece of advice we can give. It's an obvious one,
13 but it's important.

14 Now, other comments? Sheila?

15 MS. LYONS: I mean, I was just thinking, the term
16 lethal just gives that feeling that something's going to
17 get killed. So I think if there is that explanation as
18 to this is all balanced and very well-thought out and
19 nobody's just doing it --

20 MS. AVELLAR: Well, if you've got a mouse in your
21 house, what do you do?

22 MS. LYONS: I know.

23 MS. AVELLAR: You buy d-CON.

24 MS. LYONS: I know. And is that --

1 (Mr. Delaney bangs gavel.)

2 MR. DELANEY: We have to get -- we have to get on
3 to a celebration of 300 hundred years of this back and
4 forth.

5 MS. LYONS: And I feel bad that they're in the
6 wrong place at the wrong time.

7 MR. DELANEY: You've had four or five times. Let
8 me just -- Bill is an alternate. Quick one, Bill?

9 MR. CLARK: Just I wonder about the unintended
10 consequences of predator management. I'm wondering if
11 that's addressed in the documents.

12 Recently there was a show on NOVA about the
13 importance of predators. It was an excellent show. It
14 talks about reintroducing wolves into Yellowstone
15 National Park because when they took out the wolves,
16 they had all these other unintended consequences. For
17 example, the river that goes through Yellowstone had
18 major problems from too many antelope grazing on the
19 side of the river. Because when the wolves were there,
20 they never grazed. So it degraded the wetlands around
21 that area. I'm wondering with that analogy if we were
22 to, let's say, take out some coyotes, what's that going
23 to do to the skunk population and the raccoon
24 population? So we reduce the -- I haven't seen the

1 whole document, but I'd like to.

2 MR. DELANEY: Ecological consequences have to be
3 considered.

4 George?

5 MR. PRICE: Well, actually, Bill, the point is, the
6 same people that brought you the reintroduction of
7 wolves is talking about this kind of predator
8 management. The issue in Yellowstone was it was a total
9 eradication. So that was a wiping them out so that
10 there was no balance. Well, we know about the predators
11 we're talking about are artificially high populations,
12 as Mary said, because of their reliance on humans and
13 they're overwhelmed. This was not the level of
14 population as the piping plovers were evolving over the
15 last thousands of years. So here we are now with a
16 decreased, degraded population.

17 One of the things that I think is still remarkable
18 to my mind, before the protection in the 1980s, there
19 were less than 20 nesting pairs. Now at least we're up
20 to like between 70 and 90 nesting pairs. Now, as Mary
21 said, we still don't have the success of the fledging
22 chicks in large part because of predation. So we
23 basically need this kind of balance. And what we've
24 learned from the places that do predator management

1 elsewhere, including in this state and in other places,
2 it is not a one and done. I mean, if you eliminate, as
3 Mary just said, the two coyotes we just talked about at
4 Head of the Meadow, then in a year or two you might get
5 coyotes, you might get fox, you might get skunks, and
6 therefore, they're going to fill that void, and that's
7 part of the unknown process. Places that have predator
8 management, they do it every year. Monomoy does it
9 every year with the Fish and Wildlife Service. So it's
10 part of natural resource management until the population
11 of the threatened species can get to a point where it
12 can be sustainable.

13 So unlike the wolves, we're not talking about
14 eliminating all the crows, all the coyotes, all of
15 anything. It's just the animals that have the learned
16 behavior that this is where they're getting their food
17 source. So that's the big difference between what we're
18 doing and what was done in antiquity, which at that time
19 they thought that that's what they wanted to do; wolves
20 were bad, and therefore, let's eliminate them. You do
21 have consequences. There's no question about it. In
22 every population. We've talked about seals. So here we
23 are. So are we saying we shouldn't do the Marine Mammal
24 Protection Act? I don't think anybody would say that,

1 but obviously what we've learned is how exponentially
2 large the seal population has gotten. If we ever get
3 piping plovers that large, maybe we won't --

4 MR. DELANEY: You're going into dangerous territory
5 now.

6 (Laughter.)

7 MR. DELANEY: Last one or two comments. Lilli, a
8 short one.

9 MS. GREEN: A very short. And I would say that
10 Mary-Jo's recommendation that the Park Service go to
11 each one of the board of selectmen and try to get on
12 their agendas and give a presentation at the board of
13 selectmen meeting I think is a really excellent
14 recommendation, and I would like this commission to make
15 that recommendation to the superintendent.

16 MR. DELANEY: I think that would be part of use
17 every and all means to educate, including boards of
18 selectmen and other appropriate town boards.

19 MS. GREEN: I think that would really help.

20 MR. DELANEY: Okay, good. Thank you. Good idea.
21 Joe?

22 MR. CRAIG: George mentioned Monomoy. I still hear
23 about the dead birds falling out of the sky in Chatham.

24 MR. SPAULDING: Oh, yeah, the crows.

1 MR. CRAIG: I still hear about that. When you talk
2 about lethal, that's going to come back again.

3 MR. PRICE: And that was obviously a program that
4 was not implemented correctly.

5 MR. CRAIG: Obviously.

6 MR. DELANEY: A lot of information, good
7 information, good stuff, a lot to digest. Please try to
8 attend the public hearing tomorrow at 4 o'clock should
9 you want to hear more about the shorebird management
10 plan.

11 MR. PRICE: It's more of a workshop because we're
12 going to be having tables set up with all the
13 alternatives. So people will be able to dive into each
14 one of these topics.

15 MR. DELANEY: Even better. Okay.

16 So hearing no other discussion, let me just remind
17 us we are about to conclude. Someone can go into the
18 record book as making the motion to adjourn our 300th
19 meeting. But before you do that, we are going to then
20 proceed out to the lobby and there is -- I got a preview
21 of this -- a wonderful cake with beautiful, beautiful
22 decorations on it. And some refreshments.

23 MR. PRICE: The public is welcome.

24 MR. DELANEY: And the public is more than welcome

1 to stay. And we can continue our discussions. I don't
2 know. George and I will probably make a couple short
3 remarks out there. But let's do that. Please don't
4 leave. Enjoy the cake and celebration.

5 **ADJOURNMENT**

6 MR. DELANEY: So I'll entertain a motion to
7 adjourn.

8 MS. AVELLAR: So moved.

9 MS. GREEN: Second.

10 MR. DELANEY: Lilli seconded.

11 (Mr. Delaney bangs the gavel.)

12 MR. DELANEY: I think Lilli and Mary-Jo got it.

13 MS. AVELLAR: You don't need a second on a motion
14 to adjourn.

15 MR. DELANEY: Oh, the town moderator.

16 (Whereupon, at 3:27 p.m. the proceedings were
17 adjourned.)

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REPORTER'S CERTIFICATE

PLYMOUTH, SS

I, Linda M. Corcoran, a Court Reporter and Notary Public in and for the Commonwealth of Massachusetts, do hereby certify that:

The foregoing 118 pages comprises a true, complete, and accurate transcript to the best of my knowledge, skill, and ability of the proceedings of the meeting of the Cape Cod National Seashore Advisory Commission at Marconi Station Area, Park Headquarters, South Wellfleet, Massachusetts, on Monday, November 16, 2015, commencing at 1 p.m.

I further certify that I am a disinterested person to these proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal this 7th day of January, 2016.

Linda M. Corcoran - Court Reporter
My commission expires:
August 28, 2020